



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.22833 of 2021

K.P. Karunamoorthy

...Petitioner

Vs.

1. The District Collector,
Erode District.
2. The Tahsildar,
Sathyamangalam Taluk,
Sathyamangalam,
Erode District.
3. The Taluk Head Surveyor,
Sathyamangalam Taluk,
Sathyamangalam,
Erode District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to take action to dispose of the petitioner's representation dated 18.03.2019, 24.02.2020 and 05.10.2021 submitted with regard to survey the petitioner's land by meets and bounds, to an extent of hectares 0.14.50 (Acre 0.36 cents) and measuring to an extent of hectares 0.16.00 (Acre 0.40 cents) and measuring to an extent of hectares 0.02.25 (Acre 0.05 5/6 cents), to an total extent of hectares 0.033.00 (Acre 0.81 5/6 cents) vide Patta No.1274, comprised in Old Survey No.83A3C, 404/1 New Survey No.60/9A, 60/9, 60/9B, in Poosaripalayam Village, Sathyamangalam Taluk, Erode District, by making proper sub-division.

For Petitioner : Mr.V.Logeswaren

For RR1 to 3 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to take action to dispose of



the petitioner's representation dated 18.03.2019, 24.02.2020 and 05.10.2021 submitted with regard to survey the petitioner's land by meets and bounds, measuring to an extent of hectares 0.14.50 (Acre 0.36 cents) and measuring to an extent of hectares 0.16.00 (Acre 0.40 cents) and measuring to an extent of hectares 0.02.25 (Acre 0.05 5/6 cents), measuring to an total extent of hectares 0.033.00 (Acre 0.81 5/6 cents) vide Patta No.1274, comprised in Old Survey No.83A3C, 404/1 New Survey No.60/9A, 60/9, 60/9B, in Poosaripalayam Village, Sathyamangalam Taluk, Erode District, by making proper sub-division.

2. According to the petitioner, he was purchased the agricultural the land of measuring to an extent of hectares 0.14.50 (acre 0.36 cents), 0.16.00 (Acre 0.40 cents), and measuring to an extent of hectares 0.02.25 (Acre 0.05 5/6 cents) and measuring an total extent of hectares 0.33.00 (Acre 0.81 5/6 cents) vide Patta No.1274 comprised in Old Survey No. 83A3C, 404/1, New Survey No.60/9A, 60/9, 60/9B in Poosaripalayam Village, Sathyamangalam Taluk, Erode District from one Palaniyammal, W/o. Varadharajan and (ii) Poongavi vide sale deed dated 26.09.2018, registered as Doc.No.5993/2018 on the file of Sub Registrar Office, Sathyamangalam. From the date of purchase, the petitioner has been in possession and enjoyment of the said property by way of cultivating the said land without any hindrance from third parties. Thereafter, at the time of registration of the sale deed dated 26.09.2018 and he has also paid necessary charges before the Sub Registrar, Sathyamangalam for mutation of Patta and survey the property in his name based on the sale deed. However, he made several representations dated 18.03.2019, 24.02.2020 and 05.10.2021 to the respondents requesting them to survey the petitioner's land by metes and bounds and sub divide the aforesaid property, but the respondents have not considered on his representations. Therefore, the petitioner has come forward with the present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representations dated 18.03.2019, 24.02.2020 and 05.10.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's



representations dated 18.03.2019, 24.02.2020 and 05.10.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and necessary parties within a period of sixteen weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

gba/msm

To

1. The District Collector,
Erode District.
2. The Tahsildar,
Sathyamangalam Taluk,
Sathyamangalam,
Erode District.
3. The Taluk Head Surveyor,
Sathyamangalam Taluk,
Sathyamangalam,
Erode District.

+2ccs to Mr.V.Logeswaren, Advocate, S.R.No.55145
+1cc to the Government Pleader, S.R.No.55387

W.P.No.22833 of 2021

PP[co]
NSK 24/11/2021