

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WP.No.20456 of 2020

Padmanaban

...Petitioner

-Vs-

1.The Tahsildhar,
Kadaiyampatti Taluk,
Salem District.

2.The Taluk Surveyor,
Office of the Tahsildhar,
Kadaiyampatti Taluk,
Salem District.

3.P.Murugan

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1st and 2nd to survey the land comprised in Survey No.261/2A, 267/3, 261/2B, 264/2A2, 267/1A and 267/2A1 to an extent of 0.21½ cents, 0.18 cents, 0.34 cents, 0.14½ cents, 0.60 cents and 0.03½ cents totally 1.51½ cents situate at Danishpet Village, Kadaiyampatti Taluk, Salem District, for sub division and issued separate patta based on the application of the petitioner dated 10-02-2020 within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For R1 & R2 : Mr.S.N.Parthasarathy,
Government Advocate

ORDER

The present Writ Petition is filed seeking a direction to the first respondent to cause survey of the petitioner's property comprised in Survey No.261/2A, 267/3, 261/2B, 264/2A2, 267/1A and 267/2A1 to an extent of 0.21½ cents, 0.18 cents, 0.34 cents, 0.14½ cents, 0.60 cents and 0.03½ cents totally 1.51½ cents situate at Danishpet Village, Kadaiyampatti Taluk, Salem District, which the petitioner claims as was purchased by him along with his brother under a sale deed dated 14.07.2000. Since he faces interference from a third party and seeks sub-division of his property, for which, he has given a representation dated 10.02.2020 to the respondents.

2.Heard both sides.

3.Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents. He made a statement that due to Covid-19, the petitioner's representation could not be promptly attended to.

4.This Court now directs the first respondent to cause an enquiry into the matter after issuing due notice to all the parties who are likely to be affected by his decision and after granting them a fair and effective hearing, to dispose of the representation of the petitioner through a speaking order, within a period of twelve(12) weeks from today (05.01.2021).

5.The learned Government Advocate is required to communicate the operative portion of the order to the concerned official.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Tahsildhar,
Kadaiyampatti Taluk,
Salem District.

2.The Taluk Surveyor,
Office of the Tahsildhar,
Kadaiyampatti Taluk,
Salem District.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No. 278
+1cc to the Government Pleader, S.R.No. 525

MGR(CO)
GN(01/02/2021)

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