



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.23525 of 2021

Shaji John

...Petitioner

Versus

1. The Tahsildar,
Office of the Tahsildar,
Keelvelur Taluk,
Nagapattinam District.

2. The Head Surveyor
Taluk Office,
Keelvelur Taluk,
Nagapattinam District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to survey, sub divide and issue individual patta in favour of petitioner in respect of property comprised in S.No.26/8A2 measuring an extent 7838 Sq.ft., situated at Veelankani Village, Keelvelur Taluk, Nagapattinam District, on the basis of his application dated 20.09.2021 vide No.2021/0105/19/064495 within a time frame fixed by this Court.

For Petitioner : Mr.S.Ramakrishnan

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents herein to survey, sub divide and issue individual patta in favour of petitioner in respect of property comprised in S.No.26/8A2 measuring an extent 7838 Sq.ft., situated at Veelankani Village, Keelvelur Taluk, Nagapattinam District on the basis of his application dated 20.09.2021 vide No.2021/0105/19/064495 within a time frame fixed by this Court.



2. According to the petitioner, he purchased the above said property jointly along with three others by virtue of a registered sale deed in Document No.1489 of 2021 dated 20.09.2021 from one Gnanasowndari, who was owning a larger extent of land, out of which, they have purchased 18 cents (7838 Sq.ft.), subsequently, they are in possession and enjoyment of the property. Thereafter, at the time of registering the above said document, Patta stands in the name of the petitioner's vendor. Therefore, the petitioner filed an application No.2021/0105/19/064495 dated 20.09.2021 along with a challan of payment of Rs.1,500/- to the respondents requesting them to survey, sub divide and issue individual patta to the aforesaid property comprised in S.No.26/8A2 measuring to an extent of 7838 Sq.ft., and the same was also acknowledged by the respondents. Thereafter, the petitioner sent a detailed representation dated 29.09.2021 to the first respondent herein explaining the above facts and requested them to take immediate action on the petitioner's representation, but, till date, no action has been taken by the respondent officials. Hence this 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 representation dated 20.09.2021 vide No.2021/0105/19/064495 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 representation dated 20.09.2021 vide No.2021/0105/19/064495 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(CS II)

//True Copy//

Sub Assistant Registrar

gba



To

1. The Tahsildar,
Office of the Tahsildar,
Keelvelur Taluk,
Nagapattinam District.
2. The Head Surveyor
Taluk Office,
Keelvelur Taluk,
Nagapattinam District.

+1cc to the Government Pleader, S.R.No.57593

W.P.No.23525 of 2021

PCH[co]
NSK 03/12/2021