



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.1904 of 2021

M.Urkalan

... Petitioner

Vs.

1.The Tahsildar,  
Aandipatti Taluk,  
Theni District.

2.The Head Surveyor,  
Aandipatti Taluk,  
Theni District.

3.Amsa

4.Ponnammal

... Respondents

**Prayer:** This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to sub divide the petitioner's property in comprised S.Nos.432/2B and 432/2A of Thimmarasanaickanur Village and issue separate patta to the petitioner based on his representation, dated 06.10.2020, within a time frame as fixed by this Court.

|                 |                                                                              |
|-----------------|------------------------------------------------------------------------------|
| For Petitioner  | : Mr.S.Sukumar                                                               |
| For Respondents | : Mr.M.Lingadurai for R1 & R2<br>Government Advocate<br>Mr.K.Guruchev for R3 |

**ORDER**

This writ petition has been filed for the issue of Writ of Mandamus directing the respondents to act upon the representation made by the petitioner on 06.10.2020, wherein, the petitioner has sought for the survey of the subject property, to fix the boundary stones, to subdivide the property and to issue patta in the name of the petitioner.

2.The case of the petitioner is that the subject property



was purchased by him through a registered sale deed, dated 14.09.2004. Subsequently, the petitioner sold a portion of the property by virtue of a registered sale deed, dated 20.01.2005. Thereby, the petitioner became the absolute owner of 52 cents of land in the subject property.

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3.The petitioner wanted the property to be surveyed in order to fix the boundaries and further to be subdivided and for issuance of patta in his name. A representation was made in this regard, on 06.10.2020, to the first and second respondents. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.S.Sukumar, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 & 2 and Mr.K.Guruchev, learned counsel appearing for the third respondent.

5.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 06.10.2020, after affording opportunity to the petitioner and respondents 3 and 4 and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

6.The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

**NOTE:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



**To**

1.The Tahsildar,  
Aandipatti Taluk,  
Theni District.

2.The Head Surveyor,  
Aandipatti Taluk,  
Theni District.

+1 CC to M/s.SPL GP ( SR-20697[F] dated 30/06/2021 )

+1 CC to M/s.S.SUKUMAR, Advocate ( SR-20617[F] dated 30/06/2021 )

**Order made in**  
**W.P. (MD) .No.1904 of 2021**  
**28.06.2021**

AS(05.07.2021) 3P 5C