



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9793 of 2021

Vedhanayagam

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District.
- 2.The Thasildar,
Ottanchathiram Taluk,
Dindigul District.
- 3.The Taluk Surveyor,
Ottanchathiram Taluk,
Dindigul District.
- 4.The Village Administrative Officer,
P.Chathirapatti Village,
Ottanchathiram Taluk,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to survey and demarcate S.No.291/7 and issue separate patta from old patta No.473 and New Patta No.2064, Chathirapatti Village, Ottanchathiram Taluk based on the petitioner's representation dated 18.11.2020.

For Petitioner	: Mr.J.Gunaseelanmuthiah
For Respondents	: Mr.P.Thillak Kumar, Standing Counsel for Government

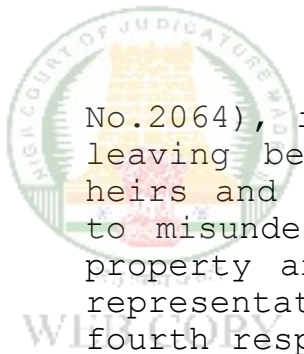
ORDER

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to Survey and demarcate S.No.291/7 and issue separate patta (Old Patta No.473 and New Patta No.2064), Chathirapatti Village, Ottanchathiram Taluk, based on the petitioner's representation dated 18.11.2020.

4. According to the petitioner, the property situated at Chathirapatti Village in S.No.291/7(Old Patta No.473, New Patta



No.2064), initially belongs to his father and he died on 09.04.1996 leaving behind the petitioner, his mother and brothers as legal heirs and they were enjoying the said property. Subsequently, due to misunderstanding arose, the petitioner wanted to demarcate the property and to get separate patta and in this regard, he made a representation to the respondents on 18.11.2020. Thereafter, the fourth respondent conducted an enquiry and submitted a report to the second respondent. Subsequently, the third respondent Surveyor also issued notice fixing the date of survey on 29.04.2021. But, no survey was done on that date. Hence, the petitioner has come to this Court with the aforesaid prayer.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the representation of the petitioner.

6. The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 18.11.2020, on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

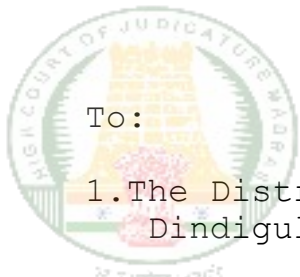
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/ /2021

Sub Assistant Registrar(CS)

pm

Note:(i) 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 District Collector,
Dindigul District.

2.The Thasildar,
Ottanchathiram Taluk,
Dindigul District.

3.The Taluk Surveyor,
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Dindigul District.

4.The Village Administrative Officer,
P.Chathirapatti Village,
Ottanchathiram Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-18927[F] dated 07/06/2021)

+1 CC to M/s.J.GUNASEELANMUTHAIH, Advocate (SR-18886[F] dated
07/06/2021)

W.P (MD) No. 9793 of 2021

04.06.2021

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