



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11876 of 2021

Kalimuthu

...Petitioner

Vs.

1.The Tahsildar,
Peravurani Taluk Office,
Thanjavur District.

2.The Taluk Surveyor,
Peravurani Taluk,
Thanjavur District.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to effect Sub-Division in respect of survey number 217/2A1 measuring an extent of 2 ½ cents and in Survey number 217/2A2 measuring an extent of 2 ½ cents situated at Peravurani taluk, Kalakam Village, Thanjavur District, pursuant to the petitioner's representation, dated 28.10.2020.

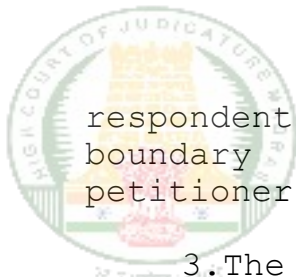
For Petitioner : Mr.D.R.Murugesan

For Respondents : Mr.R.Suresh Kumar
Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the respondents 1 and 2 to act upon the representation made by the petitioner, on 28.10.2020, wherein, the petitioner is seeking for the survey of the subject property and for issuance of a separate patta in favour of the petitioner.

2.The case of the petitioner is that he is the absolute owner of the subject property by virtue of a registered release deed, dated 31.08.2017. The petitioner wanted to get a separate patta by sub-dividing the property and hence, made an application before the



respondents. It is stated that the property was measured and the boundary stones were fixed, on 03.09.2020. Thereafter, the petitioner was following up for a separate patta in his name.

3.The grievance of the petitioner is that his brother named Balasubramanian had removed two of the boundary stones that were laid by the second respondent. Therefore, the petitioner once again made a representation to the first and second respondents for survey of the property and to fix the boundary stones and for issuance of separate patta in the name of the petitioner. Since the same was not acted upon, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.D.R.Murugesan, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the respondents.

5.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first and second respondents to act upon the representation made by the petitioner, on 28.10.2020 and deal with the same on its own merits and in accordance with law and take a decision, within a period of six weeks from the date of receipt of a copy of this order. If there are any other interested parties, notice shall also be issued to them before taking the final decision.

6.The petitioner is directed to make a fresh representation to the first and second respondents 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,
Peravurani Taluk Office,
Thanjavur District.
- 2.The Taluk Surveyor,
Peravurani Taluk,
Thanjavur District.
- 3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-22941[F] dated 16/07/2021)

**W.P. (MD) .No.11876 of 2021
15.07.2021**

RK (23.07.2021) 3P 5C