



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12169 of 2021

S.Panneerselvam

...Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Aundipatti,
Theni District.

2.The Deputy Inspector Survey,
Office of the Thasildhar,
Aundipatti,
Theni District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to survey the petitioner's land situated in Survey No:121/1, Shanmugasundarapuram, Assaripatti, Rosanapatti (Post), Aundipatti Taluk, Theni District, as per the Deed of Dhanasettlement dated 13.05.2015, registered before the Sub-Registrar, Aundipatti in Document No:2148/2015, on the basis of the representation of the petitioner dated 10.03.2021 and consequently to issue separate patta to the petitioner's land.

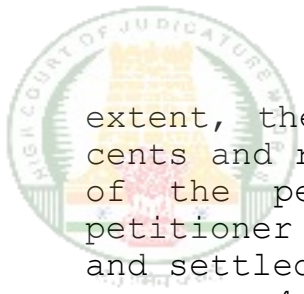
For Petitioner : Mr.G.Rajan
For Respondents : Mr.M.Linga Durai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 10.03.2021, wherein, the petitioner has sought for the survey of the subject property and for issuance of a separate patta in his name.

2. Heard Mr.G.Rajan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that a settlement deed was executed by his father in favour of his sister in the year 1990 and the subject properties were settled in her favour. Out of the total



extent, the sister of the petitioner had dealt with 1 Acre and 20 cents and retained 8 cents of lands in her favour. The further case of the petitioner is that on 13.05.2015, the sister of the petitioner executed a settlement deed in favour of the petitioner and settled 8 cents of lands.

4. The petitioner made an application before the first respondent on 10.03.2021 requesting for the survey of the subject property and for issuance of a separate patta with regard to the property that was settled on 13.05.2015. since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

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 respondent to consider the representation made by the petitioner on 10.03.2021 and deal with the same on its own merits and in accordance with law and take a decision within a period of six (6) weeks from the date of receipt of a copy of this order. If there are any other interested persons, notice shall also be issued to the concerned persons before taking the final decision.

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 stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

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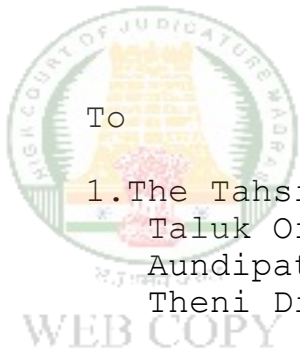
/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Taluk Office,
Aundipatti,
Theni District.

2.The Deputy Inspector Survey,
Office of the Thasildhar,
Aundipatti,
Theni District.

+1 CC to M/s.GP (SR-23327[F] dated 20/07/2021)

+1 CC to M/s.G.RAJAN, Advocate (SR-23376[F] dated 20/07/2021)

Order made in
W.P. (MD) .No.12169 of 2021

Dated:

19.07.2021

RKN (29.07.2021) 3P 5C