



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P.(MD).No.12427 of 2021

S.Thangaraj

... Petitioner

Vs.

1.The Tahsildar,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

2.The Taluk Surveyor,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to conduct survey and measurements of the property comprised in Survey No.313 situated at K.Keeranoor Village, Oddanchathiram Taluk, Dindigul District, after conducting sub division and to allot a separate patta in favour of the petitioner on the basis of the representation given by the petitioner dated 27.04.2021 within the time stipulated by this Court.

For Petitioner
For Respondents

: Mr.Gangai Amaran
: Mr.R.Suresh Kumar
Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to act upon the representation made by the petitioner on 27.04.2021, wherein the petitioner has sought for conducting survey in the subject property and to sub-divide the property and grant a separate patta in the name of the petitioner.

2.The case of the petitioner is that he purchased the property in Survey No.313 by virtue of registered sale deed dated 05.09.2019. Thereafter, the petitioner is in possession and enjoyment of the same. According to the petitioner, Survey No.313 consists of a larger extent of land and the petitioner had purchased only a portion of it and joint patta has been issued in favour of all the owners in patta No.867.



3.The grievance of the petitioner is that he wanted to get a separate patta in his name with respect to the property that was purchased by him and for this purpose, he made an application before the respondents on 25.09.2020 by paying the necessary charges and requested for conducting survey and for sub-division of the property and for issuance of separate patta. Since the same was not considered, the petitioner submitted another application to the respondents on 27.04.2021. Even this application did not evoke any response. Left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.Gangai Amaran, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate 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 respondents to act upon the application submitted by the petitioner on 27.04.2021 and deal with the same, on its own merits and in accordance with law and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order. The respondents shall issue notice to other interested parties also and give them opportunity before taking final decision.

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

7.In the result, the Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sm

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,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

2.The Taluk Surveyor,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-23887[F] dated 26/07/2021)

W.P. (MD) .No.12427 of 2021

Dated :
23.07.2021

ES (CO)

KB (03.08.2021) 3P 4C