



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.14303 of 2021

WEB COPY

Vellaichamy

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.
2. The District Revenue Officer,
District Revenue Office,
Ramanathapuram District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.
4. The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.
5. The Head Surveyor,
Ramanathapuram Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents 1 to 4 to take action against the fifth respondent to permit the petitioner to pay the fees to treasury by way of putting seal in the chalan and survey the petitioner's land comprised in Survey No.438/7 measuring 65 cents at Devipattinam Village, Ramanathapuram District.

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mr.P.Subbaraj

Counsel for Govt. of Tamil Nadu

O R D E R

The petitioner seeks a survey of the land in Survey No.438/7 at Devipattinam Village, Ramanathapuram District.

2. The petitioner states that he purchased 65 cents of land in Survey No.438/7 from one Marimuthu, S/o.Ulaganadar under the registered sale deed bearing Document No.289/2007. He refers to a



joint patta in the name of Ulaganadar, K.UmaiyaI and M.Pichai.

3. In order to erect a fence around the property, he states that he approached the fourth respondent by submitting necessary documents and requested the fourth respondent to undertake a survey. He alleges that the fifth respondent failed to affix a seal in connection with such survey. The present writ petition is filed in the aforesaid facts and circumstances.

4. The joint patta in respect of the property bearing Survey No.438/7 contains the names of three persons, namely, Ulaganadar, K.UmaiyaI and M.Pichai.

5. Learned counsel for the State, Mr.P.Subbaraj, who accepts notice on behalf of all the respondents has produced the relevant revenue record which indicates that Survey No.438/7 is classified as "Ryotwari Punjai" and stands in the name of Pichai. Therefore, it becomes necessary to put the said Pichai on notice before taking a decision with regard to the request for survey.

6. Accordingly, without going into the merits of the matter, the respondents 4 and 5 herein are directed to consider the petitioner's representation dated 28.07.2021 and dispose of such representation by a reasoned order after providing a reasonable opportunity to all the joint pattadars. Such reasoned order shall be passed within a period of three months from the date of receipt of a copy of this order.

7. W.P(MD).No.14303 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To:

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.

2. The District Revenue Officer,
District Revenue Office,
Ramanathapuram District.



3. The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.

4. The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

5. The Head Surveyor,
Ramanathapuram Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-26391[F] dated 16/08/2021)

W.P. (MD) No.14303 of 2021

13.08.2021

MGJ(24.08.2021) 3P 7C