



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.8120 of 2022

Mr.V.Vinoth

...Petitioner

Vs.

1. The Tahsildar,
Office of the Tahsildar,
RK Pet Taluk Office, Thiruvallur.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruthani, Thiruvallur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 08.02.2022 and issue patta in the petitioner's name in respect of the petitioner's land bearing Survey No.14/2A to an extent of 2 acres at Pivalasa Village, RK Pet, Thiruvallur District, after making necessary survey and ascertain actual extent of the land in possession of the petitioner in Survey No.14/2A, Thiruvallur District, Pivalasa Village.

For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents : Mr.M.Murali

Government Advocate

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 08.02.2022 and issue patta in the petitioner's name in respect of the petitioner's land bearing Survey No.14/2A to an extent of 2 acres at Pivalasa Village, RK Pet, Thiruvallur District, after making necessary survey and ascertain actual extent of the land in possession of the petitioner in Survey No.14/2A, Thiruvallur District, Pivalasa Village.

2. The case of the petitioner is that he is the owner of the property to an extent of 2 acres 9 cents in Survey No.14/2



at Pivalasa Village. The aforesaid property is an ancestral property, after the demise of his ancestors, the said property was allotted to the petitioner under a will. Thereafter, the petitioner is in possession and enjoyment of the entire property. Further, the aforesaid property in Survey No.14/2 was subdivided as 14/2A and 14/2B. In the said property, there was a passage to an extent of 9 cents of land under Survey No.14/2B. Therefore, the petitioner is in physical possession and enjoyment of remaining 2 acres of land. However, while issuing Patta, the revenue officials without measuring the actual extent of the land, issued Patta only to an extent of 35 cents instead of the actual extent of 2 acres of land to the petitioner. Therefore, the petitioner has made a representation dated 08.02.2022 before the 1st and 2nd respondents, seeking to survey his land and to mutate the revenue records to an extent of 2 acres of land in Survey No.14/2A in his name. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court, issues direction to the respondents to consider the petitioner's representation dated 08.02.2022 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representations dated 08.02.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



jd/tri

To

WEB COPY

- 1.The Tahsildar,
Office of the Tahsildar,
RK Pet Taluk Office, Thiruvallur.
 - 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruthani, Thiruvallur District.
- +1 CC to The Government Pleaader sr 23406.

W.P. No.8120 of 2022

AJS (CO)
SP(25/04/2022)