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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2022

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

W.P.No.7196 of 2022

M.Viswanathan

... Petitioner

Vs

1. The Collector,
Office of the Collectorate,
Krishnagiri District - 635115.
2. The Thasildar,
Pochampalli Taluk,
Krishnagiri District - 635206.
3. The Head Surveyor,
Pochampalli Taluk Office,
Krishnagiri District - 635206.
4. The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri - 635 115.
5. The Inspector of Police,
Mathur Police Station,
Krishnagiri District - 635 203.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second and third respondents to survey our patta lands in Patta No.1438 in Survey Nos.793, 794, 750/3B, 750/3C2, 750/3D1B, 717/2, 718/1, 750/3E1, 719/4, 750/3D2, 819, 718/4 ad-measuring 5-37.50 hectares and Patta No.1034 in S.No.750/3A2, ad-measuring 0-3.00 hectares and Patta No.684 in S.No.751/1, 751/7F ad-measuring 0-36.00 hectares and Patta No.834 in S.No.751/7C ad-measuring 0-1.00 hectares situated at Mookkampatti Village, Pochampalli Taluk, Krishnagiri District based on petitioner's application No.80A/2020 dated 20.03.2020 with the help of the fourth and fifth respondents Police.



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For Petitioner : Mr.V.M.G.Ramakannan

For Respondents : Mr.R.Vigneswaran
Government Advocate

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the second and third respondents to survey the patta lands in Patta No.1438 in Survey Nos.793, 794, 750/3B, 750/3C2, 750/3D1B, 717/2, 718/1, 750/3E1, 719/4, 750/3D2, 819, 718/4 ad-measuring 5-37.50 hectares and Patta No.1034 in S.No.750/3A2, ad-measuring 0-3.00 hectares and Patta No.684 in S.No.751/1, 751/7F ad-measuring 0-36.00 hectares and Patta No.834 in S.No.751/7C ad-measuring 0-1.00 hectares situated at Mookkampatti Village, Pochampalli Taluk, Krishnagiri District based on petitioner's application No.80A/2020 dated 20.03.2020 with the help of the fourth and fifth respondents Police.

2.Mr.R.Vigneswaran, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal.

3.The case of the petitioner is that, the petitioner's father owned the properties in Patta No.1438 in Survey Nos.793, 794, 750/3B, 750/3C2, 750/3D1B, 717/2, 718/1, 750/3E1, 719/4, 750/3D2, 819, 718/4 ad-measuring 5-37.50 hectares and Patta No.1034 in S.No.750/3A2, ad-measuring 0-3.00 hectares and Patta No.684 in S.No.751/1, 751/7F ad-measuring 0-36.00 hectares and Patta No.834 in S.No.751/7C ad-measuring 0-1.00 hectares situated at Mookkampatti Village, Pochampalli Taluk, Krishnagiri District. After the death of the petitioner's father, the petitioner and other legal heirs have succeeded the properties. Now, in order to sub-divide the above said properties, the petitioner made several applications to survey the above said properties and also paid the requisite fees. However, till date no order has been passed on the same. Hence, this present petition is filed.

4.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the second respondent to consider the petitioner's applications for surveying the disputed properties and pass orders on the same within a particular time frame fixed by this Court.



5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the second respondent to consider the petitioner's application to survey the properties in Patta No.1438 in Survey Nos.793, 794, 750/3B, 750/3C2, 750/3D1B, 717/2, 718/1, 750/3E1, 719/4, 750/3D2, 819, 718/4 ad-measuring 5-37.50 hectares and Patta No.1034 in S.No.750/3A2, ad-measuring 0-3.00 hectares and Patta No.684 in S.No.751/1, 751/7F ad-measuring 0-36.00 hectares and Patta No.834 in S.No.751/7C ad-measuring 0-1.00 hectares situated at Mookkampatti Village, Pochampalli Taluk, Krishnagiri District and after affording an opportunity of hearing, 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.

7. With the above direction, this writ petition is disposed of. No order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

mn/rli
To

1. The Collector,
Office of the Collectorate,
Krishnagiri District - 635115.
2. The Thasildar,
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5. The Inspector of Police,
Mathur Police Station,
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+4cc to M/s.V.M.G.Ramakkannan, Advocate Sr.20925
+1cc to the Special Government Pleader Sr.21358

WP.No.7196 of 2022

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srg 08/04/2022