



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.6403 of 2022

Abdul Malik

... Petitioner

Vs.

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The District Revenue Officer,
Cuddalore District,
Cuddalore.
3. The Tahsildar,
Bhunvangiri Taluk,
Cuddalore District.
4. The Land Surveyor,
Tahsildar Office,
Bhunvangiri Taluk,
Cuddalore District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent and 4th respondent to measure and demarcate the petitioner's family properties in Survey No.31/9, Rettaikinattru Street, Parangipettai Village, Panchayat and Sub Registrar office, Chidambaram Taluk, Cuddalore District for the 16 cents among 10 legal heirs as per the family partition deed entered on 02.11.2012 in Document No.1916/2012 registered before the Sub Registrar Office, Parangipettai within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.P.Paramasiva Doss

For Respondents : Mr.R.P.Murugan Raja
Government Advocate



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 3rd and 4th respondents to measure and demarcate the petitioner's family properties in Survey No.31/9, Rettaikinattru Street, Parangipettai Village, Panchayat and Sub-Registrar Office, Chidambaram Taluk, Cuddalore District for 16 cents, among 10 legal heirs, as per the family partition deed entered on 02.11.2012 in Document No.1916/2012 registered before the Sub-Registrar Office, Parangipettai, within the stipulated time as may be fixed by this Court.

2. The case of the petitioner is that, after the demise of petitioner's father, the petitioner and his brothers and sisters, succeeded the estate as legal heirs. Thereafter, the petitioner, along with other legal heirs, came to know about the manner in which the family estate can be partitioned with regard to the aforesaid property. Therefore, the petitioner and others entered into a partition deed, vide Document No.1916/2012 dated 02.11.2012 before the Sub-Registrar Office, Parangipettai, for partitioning 1 acre 16 cents among ten legal heirs of an extent of 674.25 cents for each legal heirs. Since there was an attempt made by the near-by owner to encroach upon the petitioner's property, he made a request to the 3rd respondent, vide letter dated 24.11.2020, seeking to survey and demarcate his land and other legal heirs, by paying necessary fees along with necessary documents. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed this present Writ Petition.

3. The learned counsel for the petitioners submits that, it would suffice, if this Court, issues direction to the respondents 3 and 4 to measure and demarcate the aforesaid petitioner's family properties as per the partition deed within a stipulated time 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 3 and 4 to measure and demarcate the petitioner's family properties as per the partition deed entered on 02.11.2012, 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.

WEB COPY

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jd/nhs

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The District Revenue Officer,
Cuddalore District,
Cuddalore.
3. The Tahsildar,
Bhunvangiri Taluk,
Cuddalore District.
4. The Land Surveyor,
Tahsildar Office,
Bhunvangiri Taluk,
Cuddalore District.

+1cc to Mr.P.Paramasiva Doss, Advocate, S.R.No.19258
+1cc to the Government Pleader, S.R.No.19494

W.P. No.6403 of 2022

GSM[co]
NSK 06/04/2022