



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.10092 of 2022

M.P.Saravanan

... Petitioner

Vs.

1. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.
2. The Special Tahsildar,
(Project of Formation of New Broad Gauge
Railway line between Chinna Salem and Kallakurichi)
Kallakurichi,
Kallakurichi District.
3. The Town Surveyor,
Kallakurichi Taluk,
Kallakurichi District.
4. The Village Administrative Officer,
Thenkeeranur Village,
Kallakurichi Taluk,
Kallakurichi District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the first and third respondents herein from surveying the petitioner's property (land and building) in Survey No.261/6A1A1A1A1, measuring about 1170 sq.ft Patta No.2096, Thenkeeranur Village, Kallakurichi Taluk and District and sub division Patta name Transfer to and in favour of him.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, forbearing the first and third respondents herein from surveying the petitioner's property (land and building) in Survey No.261/6A1A1A1A1, measuring about 1170 sq.ft Patta No.2096, Thenkeeranur Village, Kallakurichi Taluk and District and sub division Patta name Transfer to and in favour of him.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader 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, this petition is taken up for final disposal.

3. The learned counsel for the petitioner would submit that the petitioner inadvertently made a prayer for Writ of Mandamus, forbearing the first and third respondents from surveying the petitioner's property. However, the petitioner herein is the owner of the property in Survey No.261/6A1A1A1A1, measuring about 1170 sq.ft Patta No.2096, Thenkeeranur Village, Kallakurichi Taluk and District. The petitioner made an application dated 04.04.2022 to the first respondent, for sub division Patta transfer. 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 first and third respondents to consider the application of the petitioner dated 04.04.2022 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Special Government Pleader 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 first and third respondents to consider the application of the petitioner dated 04.04.2022 and after affording an opportunity of hearing to the petitioner, 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.

WEB COPY

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mn

To

1. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.
2. The Special Tahsildar,
(Project of Formation of New Broad Gauge
Railway line between Chinna Salem and Kallakurichi)
Kallakurichi,
Kallakurichi District.
3. The Town Surveyor,
Kallakurichi Taluk,
Kallakurichi District.
4. The Village Administrative Officer,
Thenkeeranur Village,
Kallakurichi Taluk,
Kallakurichi District.

+lcc to Mr.S.Sarath Chandran, Advocate, S.R.No.28290
+lcc to the Government Pleader, S.R.No.29699

W.P. No.10092 of 2022

AK-II(CO)
CT 06/05/2022