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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10707 OF 2022
W.M.P.NO.10342 OF 2022

S.Sivaji

...Petitioner

Vs.

1.The Assistant Director,
Land Survey and Records,
Vellore District.

2.The Tahsildar,
K.V.Kuppam Taluk,
Vellore District.

3.The Taluk Surveyor,
K.V.Kuppam Taluk,
Vellore District.

4.The Taluk Deputy Surveyor,
K.V.Kuppam Taluk,
Vellore District.

5.The Surveyor,
Land Survey,
Vellore Division,
Vellore District,
Vellore.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to survey, subdivide and grant Patta in favour of the petitioner in respect of A schedule property as per the partition deed dated 03.04.1989 registered as Doc.No.36/1989 bearing S.No.54, 188/4A, 188/4B as per the Partition Deed dated 03.04.1989 situated at Maliapattu Village, K.V.Kuppam Taluk, Vellore District.

For petitioner : Mr.N.Sampath

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

The petitioner has filed this petition seeking direction to the respondents to survey, subdivide and grant Patta in favour of the petitioner in respect of A schedule property as per the partition deed dated 03.04.1989 registered as Doc.No.36/1989 bearing S.No.54, 188/4A, 188/4B as per the Partition Deed dated 03.04.1989, situated at Maliapattu Village, K.V.Kuppam Taluk, Vellore District.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that originally, the petitioner's father was the owner of the 'A' Schedule property as per the partition deed dated 03.04.1989 registered as Doc.No.36/1989 in respect of the properties comprised in S.No.54, 188/4A, 188/4B, situated at Maliapattu Village, K.V.Kuppam Taluk, Vellore District. After the demise of the petitioner's father, the petitioner is in possession and enjoyment of the said property. Hence, the petitioner had made a representation dated 18.09.2021 before the respondents to survey, subdivide and to issue separate Patta in favour of the petitioner. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 18.09.2021 within the time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents submits that the petitioner's representation dated 18.09.2021 will be considered by the respondents within the time frame that may be fixed by this Court.

6. 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 representation dated 18.09.2021, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to the aggrieved persons.



7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Assistant Director,
Land Survey and Records,
Vellore District.
- 2.The Tahsildar,
K.V.Kuppam Taluk,
Vellore District.
- 3.The Taluk Surveyor,
K.V.Kuppam Taluk,
Vellore District.
- 4.The Taluk Deputy Surveyor,
K.V.Kuppam Taluk,
Vellore District.
- 5.The Surveyor,
Land Survey,
Vellore Division,
Vellore District,
Vellore.

+1cc to the Government Pleader Sr.No.30894

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PVS (CO)
RVM(19/05/2022)