



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.11681 of 2022

Viswnathan

...Petitioner

Vs

1. The Tahsildar,
O/o. Palladam,
Tiruppur District.

2. The Land Surveyor,
O/o.Palladam,
Tiruppur district.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to measure and survey the land and consequently sub divide the land measuring an extent of 1 / 87. 76 Punja Hectare comprised in S.F.No. 94b / 3C2B situated in Paruvai Village, Palladam, Tiruppur District in pursuant to the notice of the 2nd respondent dated 02.04.2022.

For Petitioner : Mr. S.Saravanan

For Respondents : Mr. R.P.Murugan Raja, G.A.

ORDER

This writ petition is filed seeking direction to the 2nd respondent to measure and survey the land and consequently sub divide the land measuring an extent of 1 / 87. 76 Punja Hectare comprised in S.F.No. 94b / 3C2B situated in Paruvai Village Palladam Tiruppur District in pursuant to the notice of the 2nd respondent dated 02.04.2022.

2.The case of the petitioner is that the petitioner's father was allotted certain portion of the property by virtue of a registered partition deed document No.324/1973 dated 23.03.1973 among his brothers. Subsequently, the petitioner and his father were equally divided the property through a registered partition deed document No.1602/1997 dated 28.04.1997 on the file of the Sub Registrar Office, Sulur. In the above said partition, the petitioner was allotted C schedule of property bearing S.No.94/b/3c2b measuring an extent of 1/87.76 Hec. Situated at



Paruvai Village, Palladam, Tiruppur District. The patta No.586 is also stand in his name. Subsequently, the petitioner's father died on 21.07.2006 and he obtained legal heir certificate. The petitioner made a representation to the second respondent to survey his land on 24.08.2020. However, the respondent has not considered the same so far. Without having no other option, the petitioner has filed the present writ petition before this Court.

3.The learned counsel for the petitioner submitted that this Court may issue a suitable direction to the respondents to consider the petitioner's representation dated 24.08.2020 and pass appropriate orders within the time stipulated by this Court.

4.The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner's representation dated 24.08.2020 will be considered and suitable orders will be passed on merits within the stipulated period as fixed by this Court.

5.Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, direct the respondents to consider the petitioner's representation dated 24.08.2020 and take necessary steps to survey the land, 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 aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Rli

To

1. The Tahsildar
O/o. Palladam
Tiruppur District.

2. The Land Surveyor
O/o.Palladam
Tiruppur district.

+1cc to Mr.R.Shanmugam, Advocate, S.R.No.30199

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AD(CO)
RGA(20/05/2022)