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W.P.No.25982 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.25982 of 2022

E.Premalatha

... Petitioner

Vs.

1.The Tahsildar,
Mettur Taluk Office,
Mettur Taluk, Salem District.

2.The Head Surveyor,
O/o Mettur Taluk Office,
Mettur Taluk, Salem District.

3.The State Rep. by
The Inspector of Police,
Karumalaikoodam Police Station,
Salem District – 636 402.

4.E.Saravanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to survey the petitioner's house site in Survey No.85/13 to an extent of 2600 square feet situated at Veerakalpudhur Village, Mettur Taluk, Salem District, confined in joint Patta No.720 and to issue separate Patta in her favour after necessary Sub-Division in the said house site on the basis of her representation dated



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05.09.2022 within the time stipulated by this Court.

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: Mr.E.P.Senniyangiri

For Respondents 1 to 3 : N.Senthil Selvi,
Government Advocate

ORDER

By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. This Writ Petition has been filed seeking for issuance of Writ of Mandamus, directing the first respondent to survey the petitioner's house site and to issue separate Patta in her favour after necessary Sub-Division in the said house site on the basis of her representation dated 05.09.2022.

3. The case of the petitioner is that the vacant house site situated at S.No.85/13, Veerakalpudhur Village, Mettur Taluk, Salem District, measuring an extent of 2600 sq.ft was originally owned by the father of the petitioner. Thereafter, the said house site was registered as Document No.978/2001 in favour of the petitioner by way of Gift Deed dated 30.08.2001. As the said property is coming under the Patta No.720 of the aforesaid village, the



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petitioner made a representation dated 28.07.2021 before the first respondent for Sub-Division of Patta Transfer and the same was rejected vide Ref.No.2021/0105/08/227006 dated 31.10.2021. Therefore, the petitioner has also made another representation dated 05.09.2022 before the first respondent for demarcation of boundaries and issue separate patta in her favour, but the same was not considered till date. Hence, the present writ petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 05.09.2022 and pass appropriate orders on merits within a time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents would submit that the petitioner's representation dated 05.09.2022 will be considered on merits and in accordance with law.

6. 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



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the case, direct the first respondent to consider the petitioner's representation dated 05.09.2022 on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner as well as the aggrieved persons if any, including the fourth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

28.09.2022

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Index : Yes/No

Speaking Order : Yes/No

Copy To:

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Mettur Taluk, Salem District.

2.The Head Surveyor,
O/o Mettur Taluk Office,
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3.The Inspector of Police,

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Karumalaikoodam Police Station,
Salem District – 636 402.

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M.DHANDAPANI,J.

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