



W.P.No.28998 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.28998 of 2022

C.Munusami

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Ranipet District, Ranipet.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Ranipet District, Ranipet.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Arakkonam Taluk,
Ranipet District, Ranipet.
- 4.The Tahsildar,
Office of Tahsildar,
Sholinghur Taluk,
Sholinghur, Ranipet District.
- 5.The Village Administrative Officer,
Gudalur Village,
Sholinghur Taluk,
Ranipet District.

6.G.Narayanasami
Respondents

...



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondent to survey and sub divide S.No.335/9, in Gudalur Village Account, Sholinghur Taluk, Ranipet District and further direct the 4th respondent to grant separate patta to petitioner to his properties situated in S.No.335/9, to an extent of 25 cents.

For Petitioner : Mr.A.Gouthaman

For Respondents : Mr.U.Bharanidharan for R1 to R5
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 4th respondent to survey and sub divide S.No.335/9, in Gudalur Village Account, Sholinghur Taluk, Ranipet District and further direct the 4th respondent to grant separate patta to petitioner to his properties situated in S.No.335/9, to an extent of 25 cents.

2. Since no adverse order is being passed against the private respondent, notice to the private respondent is dispensed with.

3.The case of the petitioner is that he is the absolute owner of the property situated in S.No.335/9 to the total extent of 23 Ares, in that to an extent of 25 Cents in S.No.335/9, in Gudalur Village Account, Sholinghur



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Taluk, Ranipet District. The above said property was purchased through a registered Sale Deed Document No.1095 of 2002 dated 01.07.2002 on the file of Sub Registrar, Sholinghur, from one G.Narayanasami and Sivaji alias G.Sreenivasan, son of Govindasami Naidu. On the same date of registration, one Narayansami, son of Govindappa Reddy also purchased the property to the southern side of the petitioner's property measuring to an extent of 29 cents in S.No.335/9. The petitioner further states that the property purchased by him and the property purchased by the 6th respondent is entirely different property in the same Survey number. Thereafter, the 6th respondent filed a Civil Suit in O.S.No.89 of 2014, on the file of District Munsif, Sholinghur and the same was dismissed for default on 31.07.2019. Against the said order, 6th respondent filed I.A.No.1 of 2021 in O.S.No.89 of 2014, to condone delay of 199 days in filing the application to restore the suit which was dismissed for default and the same was also dismissed on merits on 10.11.2021. Till date no appeal has been filed against the said order by the 6th respondent. Subsequently, the petitioner gave an application dated 10.01.2020 to the Tahsildar, Arakkonam. Meanwhile, the Sholinghur Taluk has been formulated and the petitioner's property comes under the jurisdiction of the 4th respondent. Therefore, the petitioner made another representation to the 4th respondent dated 23.02.2022, but, till date,



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petitioner's representation was not considered. Hence, the petitioner has come forward with the present Writ Petition.

4.The learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 4th respondent to survey and sub divide S.No.335/9, in Gudalur Village Account, Sholinghur Taluk, Ranipet District and further direct the 4th respondent to grant separate patta to petitioner to his properties situated in S.No.335/9, to an extent of 25 cents and pass appropriate orders.

5.Mr.U.Bharanidharan, learned Additional Government Pleader, appearing for the respondents submits that if any direction is given by this Court, the same will be complied with.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's representation dated 23.02.2022, on merits and in accordance with law after providing opportunity to the petitioner and aggrieved persons,



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if any and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition is accordingly is disposed of. No costs.

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Index : Yes / No
Speaking order: Yes/ No
gba

To

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- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Ranipet District, Ranipet.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Arakkonam Taluk,
Ranipet District, Ranipet.
- 4.The Tahsildar,
Office of Tahsildar,

<https://www.mhc.tn.gov.in/judis>



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Sholinghur Taluk,
Sholinghur, Ranipet District.

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5.The Village Administrative Officer,
Gudalur Village,
Sholinghur Taluk,
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M.DHANDAPANI, J.

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