



W.P.No.28537 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P.No.28537 of 2022

R. Kappaldurai

.. Petitioner

Vs.

The Tahsildar,
Vikkravandi
Villupuram Taluk Office,
Villupuram-605 602.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ, Order or direction, specifically writ in the nature of a Writ of Mandamus directing the respondent to dispose the petitioner's application no.2022/0105/07/415311 dated 25.08.2022, and survey the land and lay the boundary stone and issue Separate Patta to the petitioner Survey No.4/1 measuring an extent of 2.44 cents (0.99 Ares) out of the large extent of from 4.88 cents Vacant land situated at Thenper village, Villupuram Taluk, Villupuram District.



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For Petitioner : Mr. P.Kannan
For Respondents : Mr.U.Baranidharan,
Additional Government Pleader

ORDER

The present petition has been filed seeking a direction to the respondent to dispose the petitioner's application made requesting to survey the property and for issuance of separate patta in the name of the petitioner in respect of the property situated in Survey No.4/1 measuring to an extent of about 2.44 cents, (0.99 Ares) out of the total extent of 4.88 cents of Vacant land at Thenper Village, Villupuram Taluk, Villupuram District.

2. Mr.U.Baranidharan, Additional Government Pleader takes notice for the respondents

3. It is the case of the petitioner that, one Rangasamy Mudaliar is the absolute owner of the property in Survey No.4/1 measuring to an extent of about 4.88 cents situated at Thenper Village, Villupuram Taluk, Villupuram District and he was in absolute possession of the same. After the demise of



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said Rangasamy Mudaliar, out of the entire extent of the land, 2.44 cents of the property devolved upon Rajamanickam Mudaliar. Thereafter, the said property was sold in favour of one Thangavel and Vaichararavel, further the said property was sold in favour of Annamalai, who in turn, had sold the property in favour of the petitioner vide the sale deed dated 16.10.2010. Now the petitioner is in absolute possession of the same. In order to obtain separate patta in favour of the petitioner, he had a representation to the respondent requesting to survey the property and for issuance of patta in favour of the petitioner. However, till date, no action been taken on the said representation. Hence, the petitioner has come up with the present petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondent herein to consider the representation made by the petitioner requesting to survey the aforesaid property and to issue separate patta in favour of the petitioner and pass orders on the same, within the time that may be stipulated by this Court.



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5. On the above contentions, this Court heard the learned

Additional Government Pleader appearing for the respondent.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondent/Tahsildar to consider the representation dated 25.08.2022 made by the petitioner and pass appropriate orders on the same on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

28.10.2022

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To

The Tahsildar,
Vikkraavandi
Villupuram Taluk Office,
Villupuram-605 602.



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M.DHANDAPANI, J.

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