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W.P.No.30003 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30003 of 2022

Chandrasekaran

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Mettur, Salem District.

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to survey the properties and to issue patta in petitioner's name, which is properties situated in old survey No.335/2 total to the extent of 1401 ½ Sq.ft., at in Kolathur Village and post, Mettur Taluk, Salem District based on the representation of the petitioner dated 25.07.2022 within a stipulated time.

For Petitioner : Mr.M.Senthilkumar



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W.P.No.30003 of 2022

For Respondents : Mr.T.K.Saravanan
Government Advocate
ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the 3rd respondent to survey the properties and to issue patta in petitioner's name, which is properties situated in old survey No.335/2 total to the extent of 1401 ½ Sq.ft., at in Kolathur Village and post, Mettur Taluk, Salem District based on the representation of the petitioner dated 25.07.2022.

2.The case of the petitioner is that the petitioner's father executed a Partition Deed registered as Doc.No.1702 of 2010 dated 07.07.2010 with respect to the 'C' Schedule property situated in S.No.335/2 measuring an extent of 1401 ½ Sq.ft., in Kolathur Village and Post, Mettur Taluk, Salem District. Till date, the petitioner is in absolute possession and enjoyment of the property doing cultivation. While so, the petitioner made an application dated 01.07.2022 to the 3rd respondent in person requesting to survey the lands and issue patta in his favour, whereas, the same was not considered and the patta still stands as joint patta. Thereafter, the petitioner's again gave



W.P.No.30003 of 2022

another representation dated 25.07.2022 to the respondents to survey the above said property and to issue patta in favour of the petitioner. As the said representations made by the petitioner have evoked no response, the petitioner has filed this present Writ Petition.

3.The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 25.07.2022 and pass orders on the same within a particular time frame fixed by this Court.

4. Mr.T.K.Saravan, learned Government Advocate for the respondents submits that if any direction is given by this Court, the same will be complied with.

5.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 25.07.2022 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the



W.P.No.30003 of 2022

date of receipt of a copy of this order.

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

14.11.2022

gba
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The District Collector,
O/o.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Mettur, Salem District.
- 3.The Tahsildar,
Mettur Taluk Office,
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W.P.No.30003 of 2022

M.DHANDAPANI,J.

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W.P.No.30003 of 2022



WEB COPY



W.P.No.30003 of 2022

14.11.2022