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W.P.No.31005 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.31005 of 2022

R.Sekar

... Petitioner

VS.

1.The District Collector,
Dharmapuri District.

2.The Sub-Collector
Dharmapuri District.

3.The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.

4.The Head Surveyor,
Nallampalli Taluk,
Dharmapuri District.

5.The Village Administrative Officer,
Dokkubothanahalli Village,
Dharmapuri District.

6.Sivagami

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent herein to dispose of the petitioner application dated 28.06.2022 to carryout sub



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division corrections and patta name transfer based on the registered documents for the land in survey no.161/3 of an extent of 3.91 Acres situated at Dokkubothanahalli Village, Nallampalli Taluk, Dharmapuri District.

For Petitioner : Mr.Krishnasamy Chinnasamy

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 2nd respondent herein to dispose of the petitioner application dated 28.06.2022 to carryout sub division corrections and patta name transfer based on the registered documents for the land in survey no.161/3 of an extent of 3.91 Acres situated at Dokkubothanahalli Village, Nallampalli Taluk, Dharmapuri District.

2.Since, no adverse order is being passed as against the 6th respondent, notice to the 6th respondent is dispensed with.

3.The case of the petitioner is that the subject land originally belongs to his grandfather acquired by way of Partition Deed registered as Doc.No.477/1979 in S.No.161/3, measuring to an extent of 3.91 Acres. The



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said property was transferred to the petitioner by way of a Settlement Deed, registered as Doc.No.1061 of 2016 at SRO, Dharmapuri (West). The adjacent land, measuring to an extent of 3.50 Acres in the same survey number originally belongs to Devayammal, Mariappan & Thangaraj. While so, respondents carried out the sub division for the entire lands in S.No.161/3, during the survey, the respondents sub divided the lands by deviating from the actual sketch and infavour of the adjacent land owners and not surveyed as per the registered and revenue documents. Therefore, the petitioner gave an application dated 28.06.2022 to the respondents to carryout sub division, corrections and patta name transfer as per the revenue documents. But, till date petitioner's representation was not considered and no order has been passed. 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 2nd respondent herein to dispose of the petitioner application dated 28.06.2022 to carryout sub division corrections and patta name transfer based on the registered documents for the land in survey no.161/3 of an extent of 3.91 Acres situated at Dokkubothanahalli



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Village, Nallampalli Taluk, Dharmapuri District and pass appropriate orders.

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4.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.

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 application dated 28.06.2022, on merits and in accordance and pass appropriate orders, after affording an opportunity of hearing to the petitioner as well as the private parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

6.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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