



W.P.No.31187 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31187 of 2022

1.Thirupathi
2.Saravanan

... Petitioners

Vs.

The Tahsildar,
Mettur Taluk,
Salem District.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioner's online application dated 14.12.2021 to survey the land and lay the boundary stone and issue separate patta to petitioner's land in S.Nos.136/1E, 136/1D, 140/1B, 136/1A and 136/2A to the extent of 6.71 ½ acres and petitioner's private pathway to the extent of 0.18 Cents situated at Kolathur Village, Mettur Taluk, Salem District within stipulated time fixed by this Court.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader



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ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the respondent to consider the petitioner's online application dated 14.12.2021 to survey the land and lay the boundary stone and issue separate patta to petitioner's land in S.Nos.136/1E, 136/1D, 140/1B, 136/1A and 136/2A to the extent of 6.71 ½ acres and petitioner's private pathway to the extent of 0.18 Cents situated at Kolathur Village, Mettur Taluk, Salem District.

2.The case of the petitioners is that the aforesaid property was originally owned by the petitioners grandfather. On 29.05.2020, settled the property in favour of the petitioners by virtue of a registered Settlement Deed as Doc.Nos.1093 & 1094 of 2020 on the file of the Sub-Registrar, Mettur, Salem District and joint Patta No.2547 was also issued in favour of the petitioners and till date he is in absolute possession and enjoyment of the property. Thereafter, the 1st petitioner made an online application dated 14.12.2021 to the respondent to survey the land in respect of the aforesaid property, lay the boundary stones and issue separate patta in favour of the



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petitioners. However, till date no order was passed on the said representation. As the said representations made by the petitioner has 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 respondent to consider the petitioner's online application dated 14.12.2021 to survey the land and lay the boundary stone and issue separate patta to petitioner's land in S.Nos.136/1E, 136/1D, 140/1B, 136/1A and 136/2A to the extent of 6.71 ½ acres and petitioner's private pathway to the extent of 0.18 Cents situated at Kolathur Village, Mettur Taluk, Salem District and pass orders on the same within a particular time frame fixed by this Court.

4. Mr.U.Bharanidharan, learned Additional Government Pleader 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



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petitioner's representation dated 14.12.2021, on merits and in accordance with law and pass appropriate orders, 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.

22.11.2022

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

To

The Tahsildar,
Mettur Taluk,
Salem District.



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M.DHANDAPANI,J.

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