



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.1699 of 2022

M.Shanmugasundaram

...Petitioner

Vs.

The Special Tahsildar,
Office of Special Tahsildar,
Palani - 624 601,
Dindigul District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 04.01.2022, to measure the partition land of FMB in S.F.No.1228/1B1A, 1226/2 at Palani Village and Taluk.

For Petitioner : Mr.Mohamed Kalibullah

For Respondent : Mr.S.Kameswaran
Government Advocate

ORDER

Mr.S.Kameswaran, learned Government Advocate takes notice on behalf of the respondent/the Special Tahsildar, Dindigul District.

2.The petitioner had given a representation, seeking measurement of the lands which had been partitioned between himself and his younger brother Ponnuchamy and which lands are situated in S.F.No.1228/1B1A, 1226/2 at Palani in Dindigul District.

3.Mr.S.Kameswaran, learned Government Advocate stated that a notice to measure the lands has been issued and the respondent is taking necessary steps to measure the lands.

4.However, it must be kept in mind by the respondent that a notice will also have to be issued to the younger brother of the petitioner herein. But, it is stated by the learned Counsel for the petitioner that unfortunately, the said younger brother is no more.



Therefore, it will only be appropriate that if legal heirs are available they should also be put on notice. The petitioner claims right and title of the divided lands owing to the partition between himself and his younger brother. It is for that purpose, notice must be issued to the family members of Ponnuchamy.

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5. Let the respondent take necessary steps in manner known to law and conclude the entire process within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Special Tahsildar,
Office of Special Tahsildar,
Palani - 624 601,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-3341[F] dated 01/02/2022)
+1 CC to M/s.M.SHEIK ABDULLAH, Advocate (SR-3458[F] dated
01/02/2022)

W.P(MD) .No.1699 of 2022
31.01.2022

ck(CO)
TR(11.02.2022) 2P 4C