



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.2658 of 2022

S.Nagaraj

.. Petitioner

Vs.

- 1.The District Collector,
O/o. The District Collector,
Dindigul District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Vedasandur, Dindigul District.
- 3.The Tahsildar,
O/o. The Tahsildar,
Vedasandur, Dindigul District,
- 4.The Head Surveyor,
O/o. The Head Surveyor,
Vedasandur, Dindigul District.
- 5.The Village Administrative Officer,
O/o. The Village Administrative Officer,
Vedasandur, Dindigul District.
- 6.Chinnathambi
- 7.Pandiyaraj
- 8.Ponpandiyan

.. Respondents

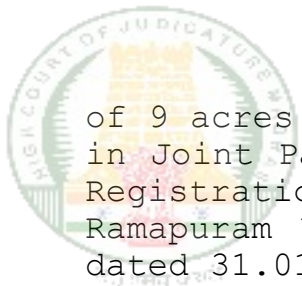
PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos. 3 & 4 to survey the petitioner's land in Survey No.699/1A, 741, 742/2, 743/5, 744/3 with the extent of 9 acres 87 cents and granted sub division patta which is registration in Joint Patta No.714 and 713 situated at Dindigul District, Palani Registered District, Vedasandur Sub Registered Office, Sri Ramapuram Village, by considering the petitioner's representation, dated 31.01.2022.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.D.Sasikumar for R1 to R5
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent Nos. 3 & 4 to survey the petitioner's land in Survey Nos.699/1A, 741, 742/2, 743/5, 744/3 with the extent



of 9 acres 87 cents and grant sub division patta which is registered in Joint Patta No.714 and 713 situated at Dindigul District, Palani Registration District, Vendasandur Sub Registrar Office, Sri Ramapuram Village, by considering the petitioner's representation, dated 31.01.2022, within a time frame to be fixed by this Court.

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2.Heard Mr.S.M.A.Jinnah, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, appearing for the respondents 1 to 5.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The case of the petitioner is that under a civil Court decree dated 26.11.2019 passed in O.S.No.310 of 2018, by the Sub Court, Vendasandur, he became the owner of the aforementioned property. He has given a representation on 31.01.2022, to the respondents seeking for surveying and measuring his land and granting subdivision patta for the said land in his name. Since the representation has not been considered till date, he has filed this writ petition.

5.No prejudice will be caused to the respondents if the petitioner's representation seeking for survey and for grant of sub division patta is considered on merits and in accordance with law after affording opportunity for other persons who are also staking claim over the very same property.

6.This Court therefore, directs the third respondent to carry out survey of the petitioner's land in S.Nos.699/1A, 741, 742/2, 743/5, 744/3 measuring an extent of 9 acres 87 cents and grant sub division patta if the petitioner is found eligible after giving notice to all other interested persons over the very same land and giving them opportunity to contest the petitioner's claim, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

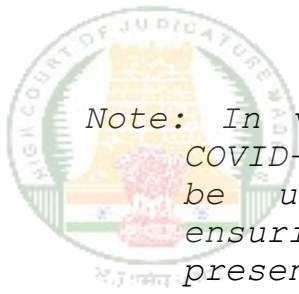
Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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

- 1.The District Collector,
O/o. The District Collector,
Dindigul District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Vedasandur, Dindigul District.
- 3.The Tahsildar,
O/o. The Tahsildar,
Vedasandur, Dindigul District,
- 4.The Head Surveyor,
O/o. The Head Surveyor,
Vedasandur, Dindigul District.
- 5.The Village Administrative Officer,
O/o. The Village Administrative Officer,
Vedasandur, Dindigul District.

+1 CC to M/s.SPL.GP (SR-5693[F] dated 11/02/2022)

W.P (MD) .No.2658 of 2022
10.02.2022

SB (CO)

GC (21.02.2022) 3P 7C