



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6088 of 2022

R.Dharun Karthik

... Petitioner

Vs.

1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

3.The Taluk Surveyor,
Thoothukudi Taluk,
Thoothukudi District.

...Respondents

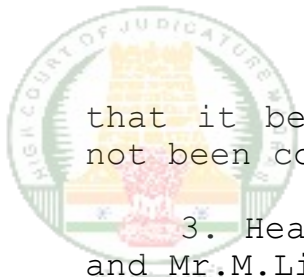
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to survey and issue separate patta transfer relating to the property having Patta No.1456 comprised in Survey No.412/2 - 37 cents situated at Pudukottai Village, Thoothukudi District by considering the petitioner's representation dated 22.12.2021 vide CAN No.133280116464023 and Application No.2021/0105/28/159098 given by the petitioner to the second respondent within the period stipulated by this Court.

For Petitioner : M/s.M.Maria Vinola
For Respondents : Mr.M.Lingadurai,
Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to survey and issue separate patta relating to the property having Patta No.1456 comprised in Survey No.412/2-37 cents situated at Pudukottai Village, Thoothukudi District by considering the petitioner's representation dated 22.12.2021 within a time frame to be fixed by this Court.

2. The petitioner has submitted an application to the respondents on 22.12.2021 seeking for survey and demarcation of boundaries in respect of the aforementioned property which he claims



that it belongs to him absolutely. Since the said application has not been considered till date, this Writ Petition has been filed.

3. Heard M/s.M.Maria Vinola, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. The petitioner has produced documents in support of his case that he is the owner of the aforementioned property. He has sought for survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has submitted an application on 22.12.2021 for the said purpose.

5. No prejudice would be caused to the respondents, if the application of the petitioner dated 22.12.2021 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

6. Accordingly, this Court directs the respondents to survey and fix the boundaries in the petitioner's property having Patta No.1456 comprised in Survey No.412/2 - 37 cents situated at Pudukottai Village, Thoothukudi District and to consider the application of the petitioner with regard to issuance of patta, after giving notice to the petitioner and rival claimants, if any, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 Revenue Officer,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

3.The Taluk Surveyor,
Thoothukudi Taluk,
Thoothukudi District.

+1 CC to M/s.M.MARIA VINOLA, Advocate (SR-16321[F] dated 04/04/2022)

+1 CC to M/s.SPL.GP (SR-16713[F] dated 05/04/2022)

W.P. (MD) .No.6088 of 2022
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NSN(CO)

GC(28.04.2022) 3P 6C