



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8290 of 2022

WEB COPY

S.P.Chandra Mohan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

2.The Tahsildar,
Office of the Tahsildar,
Manamadurai, Sivagangai.

3.The Special Tahsildar,
Office of the Special Tahsildar,
Adi-Dravidar Welfare, Sivagangai.

4.The Firka Surveyor,
Theethanpettai Group,
Manamadurai, Sivagangai.

... Respondents

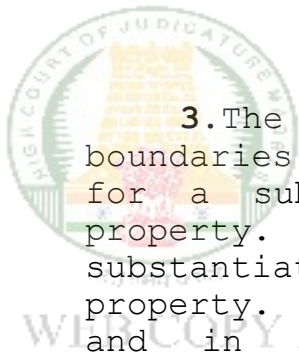
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to survey and subdivide the land of the petitioner in S.No.208/3 of Theethanpettai Group, Manamadurai, Sivagangai as per the document in Document No.2352/2020 and 2353/2020 of the Sub Registrar, Manamadurai and to issue patta in favour of the petitioner.

For Petitioner : Mr.S.Ramsundarvijayraj
For Respondents : Mr.D.Sasikumar,
Additional Government Pleader.

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to survey and subdivide the land of the petitioner in S.No.208/3 of Theethanpettai Group, Manamadurai, Sivagangai as per the document in Document No.2352/2020 and 2353/2020 of the Sub Registrar, Manamadurai and to issue patta in favour of the petitioner, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the property comprised in S.No.208/3 of Theethanpettai Group, Manamadurai, Sivagangai District.



3.The petitioner seeks for survey and demarcation of the boundaries in respect of the aforementioned property. He also seeks for a sub-division patta in his name for the aforementioned property. He has filed documents along with this writ petition to substantiate his case that he is the owner of the aforementioned property. It is for the respondents to consider the same on merits and in accordance with law. The petitioner has given a representation in this regard on 25.09.2021 to the respondents, calling upon them to conduct survey and demarcation of boundaries and also issue a sub-division patta in his favour. The said representation has not been considered till date. In such circumstances, the petitioner has filed this writ petition.

4.Heard Mr.S.Ramsundarvijayraj, learned Counsel appearing for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5.No prejudice would be caused to the second and third respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the other necessary parties, whom the second and third respondents deem fit to enquire. The petitioner seeks for survey and demarcation of the boundaries. He also seeks for issuance of sub-division patta in his name.

6.For the foregoing reasons, the second and third respondents are directed to survey and demarcate the petitioner's property as stated supra, with the assistance of the fourth respondent in the presence of the petitioner and in the presence of any other necessary party, whom the second and third respondents deem fit to put on notice and demarcate the boundaries thereafter within a period of twelve [12] weeks from the date of receipt of a copy of this order. After survey and demarcation of the boundaries is completed, the second respondent shall consider the petitioner's representation seeking for issuance of a sub-division patta in his name and pass final orders on merits and in accordance with law within a period of twelve [12] weeks thereafter, after affording a fair hearing to the petitioner and other rival claimants, if any.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

2.The Tahsildar,
Office of the Tahsildar,
Manamadurai, Sivagangai.

3.The Special Tahsildar,
Office of the Special Tahsildar,
Adi-Dravidar Welfare, Sivagangai.

4.The Firka Surveyor,
Theethanpettai Group,
Manamadurai, Sivagangai.

+1 CC to M/s.SPL.GP (SR-22337[F] dated 28/04/2022)

+1 CC to M/s.S. RAMSUNDARVIJAYRAJ, Advocate (SR-21831[F]
dated 27/04/2022)

ORDER MADE IN
W.P. [MD]No.8290 of 2022
27.04.2022

SG (CO)

GC(23.05.2022) 3P 7C