



W.P.(MD).No.23864 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2022

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.23864 of 2022

M.Rajprakash

... Petitioner

vs.

1.The Revenue Divisional Officer,
Uthamapalayam,
Theni District 625 533.

2.The Tahsildar,
Bodinaickanoor,
Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to conduct proper survey of entire Survey No.535/2B with old revenue records and other documents relating to said lands and issue patta to the petitioner for lands measuring 4.84 acres in said survey number, after due subdivision.

For Petitioner

: Mr.V.R.Shanmuganathan

For R1 & R2

: Mr.D.Gandhiraj

Special Government Pleader



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ORDER

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This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to conduct proper survey of entire Survey No.535/2B with old revenue records and other documents relating to said lands and issue patta to the petitioner for lands measuring 4.84 acres in said survey number, after due subdivision.

2. The case of the petitioner is that he has purchased the land in S.No.535/2B to an extent of 4 acres 84 cents situated at Kottagdi Village, Bodinaickanoor Taluk, Theni District, under registered sale deed dated 04.06.2018 in Doc.No.2412/2018 from one Ethiliammal @ Ethilakkammal, W/o.Late. Ramasamy and others. Thereafter, he is in possession and enjoyment of 4 acres and 84 cents in S.No.535/2B. Be that as it may, the second respondent, without any notice or enquiry, has subdivided the land and issued patta as follows:

S.No.535/2B2 – 1.57.50 Hectares – 3.87 – name of Ramasamy and Rajaprakash/the petitioner herein.

The inclusion of the name of Ramasamy is not correct and reduction of extent as 3.87 acres instead of 4.84 acres is also not correct. Hence, the petitioner has made a representation to the second respondent



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on 23.08.2022. Since there was no progress, he has given a written representation to the Revenue Divisional Officer, the first respondent herein on 23.09.2022. Despite receipt of the same, there is no reply. Hence, the petitioner has filed the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. Considering the above said facts, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation dated 23.09.2022 and pass appropriate orders, on merits and in accordance with law, after holding an enquiry and giving an opportunity to the parties concerned, within a period of sixteen weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

07.11.2022

akv



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To

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Uthamapalayam,
Theni District 625 533.
- 2.The Tahsildar,
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V.BHAVANI SUBBAROYAN,J.

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