



W.P.(MD)No.25482 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2022

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THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.25482 of 2022

Kannan, S/o.Ganesan

.. Petitioner

Versus

1.The Tahsildar,
Tirupathur Taluk,
Sivagangai District.

2.The Head Surveyor,
Tirupathur Taluk,
Sivagangai District.

.. Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to transfer the Patta and conduct the survey and fix boundaries in respect of the petitioner's landed property, comprised in Survey No.18/2C 1A, having Plot Nos.181 to 186, having total extent of 9600 sq.ft., Plot Nos.192 to 194 of a total extent of 6400 sq.ft. and Plot Nos.195 to 197 of a total extent of 4800 sq.ft., from its lawful owner namely, Santhanam, vide Document No.3208 of 2018, on the basis of the petitioner's representation, dated 22.08.2022, within a time frame to be stipulated by this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader



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ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents herein to transfer the Patta and conduct the survey and fix the boundaries in respect of his landed properties, comprised in Survey No.18/2C 1A, having Plot Nos.181 to 186, measuring a total extent of 9600 sq.ft., Plot Nos.192 to 194, measuring a total extent of 6400 sq.ft. and Plot Nos.195 to 197, measuring a total extent of 4800 sq.ft., on the basis of his representation, dated 22.08.2022, within a time frame.

2. Today, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents submits that on the basis of the claim made by the petitioner, seeking to transfer Patta and conduct survey and fix the boundaries in respect of his landed properties, comprised in Survey No.18/2C 1A, a field inspection has been conducted by the first respondent along with the Village Administrative Officer on 12.11.2022, wherein it was found that the petitioner has purchased aforesaid Plots, totally measuring about 20800 sq.ft. from one Sampath on 23.11.2018, vide Document No.3208/2018 and there is a difference between the measurements in the document and the Village accounts and therefore, the authorities are not in a position to transfer the Patta and conduct the survey



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and fix the boundaries of the aforesaid properties. If the petitioner produce new registered document with correct measurements, the authorities can proceed further.

3. Considering the facts and circumstances of the case and considering the aforesaid submissions made by the learned Additional Government Pleader appearing for the respondents and also considering the fact that the representation of the petitioner, dated 22.08.2022, has not yet been disposed of, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner, dated 22.08.2022, after issuing notice to all the necessary parties concerned and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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To

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V.BHAVANI SUBBAROYAN, J.

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Order made in
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