



W.P.(MD)No.26215 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W/.P. (MD) No.26215 of 2022

P.Balamurugan

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi Taluk,
Pudukkottai District.

3.The Tahsildar (Survey Division),
Aranthangi Taluk,
Pudukkottai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to survey the petitioner's land comprised in New SF.no.182/1E2 measuring an extent of 7.5 ares situated at, Aalapiranthan Village (Purakudikadu), Aranthangi Taluk, Pudukkottai District and demarcate the boundary by considering his representation dated 12.10.2022 within a time that may be stipulated by this Court.



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For Petitioner : Ms.R.Karthika

For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to survey the petitioner's land comprised in New SF.No.182/1E2 measuring an extent of 7.5 ares situated at, Aalapiranthan Village (Purakudikadu), Aranthangi Taluk, Pudukkottai District and demarcate the boundary by considering his representation, dated 12.10.2022 within a time that may be stipulated by this Court.

2.Heard Ms.R.Karthika, learned counsel for the petitioner and Mr.D.Gandhiraj, learned Additional Government Pleader, who takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The grievance of the petitioner is that the third respondent after receiving the representation of the petitioner, did not come forward to survey and fix boundaries in the petitioner's land.



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4. The learned counsel for the petitioner submitted that the petitioner is the absolute owner of the petition mentioned property. During the subdivision, the names of the third parties have been included in the patta relating to the property of the petitioner. Hence, the petitioner obtained an order of this Court by way of a writ petition to rectify the error in the revenue entries after scrutinizing the title deeds of the petitioner. For that purpose, the third respondent directed the petitioner to make an application to survey the land. Accordingly, the petitioner made an application to survey the land and remitted necessary fee. Since no action has been taken by the third respondent, the petitioner submitted a representation, dated 12.10.2022 seeking to survey his land. Till date, the same was not considered. Hence, the petitioner has filed the present writ petition.

5. The learned Special Government Pleader appearing for the official respondents has produced the proceedings of the Tahsildar in Na.Ka. 9209/2022/S, dated 18.11.2022. In that proceedings, it has been stated that the petition filed by the petitioner seeking transfer of patta in his name has been considered and dismissed by the Revenue Divisional Officer based on the relevant documents. The copy of the said order has also been sent to the petitioner.



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WEB COPY 6. In view of the above, this Writ Petition is dismissed.

7. At this juncture, the learned counsel for the petitioner by way of reply submitted that no notice or opportunity of hearing was given to the petitioner before passing such order. Hence, liberty is granted to the petitioner to challenge the order passed by the Revenue Divisional Officer in accordance with law, if he is so advised. No costs.

21.11.2022

Index : Yes/No
Internet : Yes/No
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To

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Pudukkottai District.
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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