



W.P.No.34390 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.34390 of 2023

Periyasamy

... Petitioner

versus

- 1.The District Collector,
District Collectorate Office,
Kallakurichi District.
- 2.The Revenue Divisional Officer,
RDO Office, Kallakurichi District.
- 3.The Tahsildar,
Taluk Office,
Kallakurichi District.
- 4.The Village Administrative Officer,
V.Krishnapuram Village and Post,
Kallakurichi District.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to consider and pass appropriate orders based on the petitioner's representations dated 24.07.2018 and 02.03.2023 requesting to survey the subject land, sub divide and to issue Patta to the land comprised in Old Survey Nos.13/3B, 13/21

Pg.Nos.1/5



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and New Survey Nos.13/8A and 13/7 situated at V.Krishnapuram Village, Chinna Salem, Kallakurichi District, within the time frame to be fixed by this Court.

For Petitioner : Ms.S.P.Arthi

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

Mr.R.P.Murugan Raja, learned Government Advocate accepts notice for the respondents. With the consent of both the parties the Writ Petition is taken up for final disposal at the admission stage, itself.

2. The petitioner herein has given representations to the third respondent on 24.07.2018 and 02.03.2023, respectively, wherein and whereby he sought to conduct survey, sub-divide and issue Patta in respect of the subject property comprised in Old Survey Nos.13/3B, 13/21 and New Survey Nos.13/8A and 13/7 situated at V.Krishnapuram Village, Chinna Salem, Kallakurichi District, within the time frame as fixed by this Court. Since there was no response from the third respondent, the present Writ Petition has been filed.

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3. Today, the learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the third respondent to consider the representations of the petitioner dated 24.07.2018 and 02.03.2023, respectively.

4. Learned Government Advocate appearing for the respondents submitted that the third respondent may be directed to consider the petitioner's representations and pass orders on merits in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, the third respondent is directed to consider the representations of the petitioner dated 24.07.2018 and 02.03.2023, respectively, and pass appropriate orders, on merits and in accordance with law, after giving notice to the petitioner as well as the interested parties/rival claimants/adjacent owners, and after conducting enquiry, within a period of two months from the date of receipt of a copy of this order.

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6. With the above directions, this Writ Petition is disposed of.

However, there shall be no order as to costs.

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Index: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

- 1.The District Collector,
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RDO Office, Kallakurichi District.
- 3.The Tahsildar,
Taluk Office, Kallakurichi District.
- 4.The Village Administrative Officer,
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P.VELMURUGAN, J.

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