



W.P(MD)No.1415 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1415 of 2023

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 : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to survey the 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 the petitioner's representation dated 29.12.2022 within a time that may be stipulated by this Court.



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For Petitioner : Ms.R.Karthika

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader.

ORDER

The petitioner has filed this writ petition seeking survey and measurement of the petition mentioned lands.

2.The case of the petitioner is that his father/Periyasamy's name figured as joint pattadar in Patta No.1562. Earlier, the petitioner's father had executed a settlement deed in his favour on 13.09.2011. There is only one impediment for the petitioner. As rightly pointed out by the learned Additional Government Pleader, one Raman filed an appeal before the Revenue Divisional Officer, Aranthangi. The petitioner figured as the fifth respondent in the said proceedings. Vide order dated 05.02.2019, the joint patta standing in the name of the petitioner was set aside and the names of Raman and Karupiah Nadar was ordered to be restored. The stand of the respondents is that if this order passed by the Revenue Divisional Officer, Aranthangi dated 05.02.2019 is modified in favour of the writ petitioner, the present request can be entertained. I sustain the said objection.



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3.At this sage, the learned counsel for the petitioner states that she has already filed a petition before the District Revenue Officer, Pudukkottai in this regard. It is said to be bearing Na.Ka.No.D5/16911/2022. The District Revenue Officer, Pudukkottai is directed to dispose of the said petition on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The District Revenue Officer of course shall put the interested parties on notice including Thiru.Raman before passing final order.

4.This writ petition is disposed of accordingly. No costs.

25.01.2023

NCS : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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G.R.SWAMINATHAN, J.

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