



WP(MD)No.7040 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.7040 of 2017

P.Samiappan

... Petitioner

Vs

1.The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.

2.Nachimuthu

3.Muthammal

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the 1st respondent to cause survey and sub divide the land in Survey No.51/1M and 69/3, Veriyapur Village, Oddanchathiram Taluk, Dindigul District on the basis of the representations of the petitioner submitted to the 1st respondent on 12.08.2016 and 27.02.2017 within a time frame fixed by this Court.

For petitioner : Mr.B.Saravanan

For Respondents : Mr.P.T.Thiraviam,
Government Advocate



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ORDER

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This writ petition has been filed for a writ of mandamus directing the 1st respondent to survey the land in S.No.51/1M and 69/3 Veriyapur Village, Oddanchathiram Taluk, Dindigul District by considering his representations dated 12.08.2016 and 27.02.2017.

2.The case of the petitioner is that the land in Survey Nos.51/1M and 69/3 to an extent of 2.94 Acres and 4.18 Acres were allotted to him by way of partition deed dated 20.07.2011. Based on the partition he made a representation to the 1st respondent to sub-divide the property, to survey and fix the boundary for the lands. But the representations of the petitioner are not considered. Therefore, the petitioner is before this Court.

3.The learned Additional Government Pleader appearing for the respondents on instructions submits that when the officials made spot inspection based on the petitioner's representation , the third respondent herein has raised certain objections that she has already filed a suit in



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OS.Nos.919 of 2022 and 1242 of 2022 before Sub Court, Oddanchathiram in respect of the partition deed in Doc.No. 3019/2019, dated 26.11.2021 and therefore, the officials have not proceeded further. The learned Government Advocate also produced a copy of the plaint filed by the 3rd respondent in OS.No.1242 of 2022.

4. There is a dispute between the petitioner and 3rd respondent with regard to the title over the property and suits in OS.Nos.909 of 2022 and 1242 of 2022 are pending before the Sub Court, Oddanchathiram. Therefore, this writ petition is disposed of with a direction to the Sub Judge, Oddanchathiram to dispose of the suits in OS.Nos.909 of 2022 and 1242 of 2022 within a reasonable time, preferably within a period of eight weeks from the date of receipt of a copy of this order. No costs.

07.06.2023

dsk
To

The Tahsildar,
Oddanchathiram Taluk,
Dindigul District.

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B. PUGALENDHI, J.

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