



WEB COPY



W.P.(MD)No.23137 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.23137 of 2021

Nagaraj

... Petitioner

VS.

1.The Superintendent of Police,
Dindigul District.

2.The Tahsildar,
Vedasandhur Taluk,
Dindigul District.

3.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul District.

4.Nagan Ambalam

5.Andi Ambalam

6.Mayandi Ambalam

... Respondents



W.P.(MD)No.23137 of 2021

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to survey and subdivide the land comprised in Survey Nos.102, 103/2, 106/1, 111/1H, 111/3F, 147/4, 119/2A, 149 and 158/2B situated at Puthur Village, Vadamadurai Taluk, Vadamadurai Sub-Registrar Office, Dindigul District, as per the Tamil Nadu Survey and Boundaries Act, 1923, to issue separate patta as per Section 10 of the Tamil Nadu Patta Pass Book Act, 1983, on the basis of the petitioner's representation, dated 24.09.2021 and furthermore, to direct the Respondent Nos.1 and 3 to give police protection while surveying the above said lands on the basis of the petitioner's representation, dated 28.09.2021, within a time frame that may be stipulated by this Court.

For Petitioner	: Mr.R.Rajaraman
For R1 and 2	: Mr.C.Baskaran Government Advocate
For R3	: Mr.Sanjay Gandhi Government Advocate
For R4 and 5	: Mr.S.Gokul Raj
For R6	: No appearance



WEB COPY



W.P.(MD)No.23137 of 2021

ORDER

This writ petition is filed for writ of Mandamus, to direct the 2nd respondent to survey and subdivide the land comprised in Survey Nos. 102, 103/2, 106/1, 111/1H, 111/3F, 147/4, 119/2A, 149 and 158/2B situated at Puthur Village, Vadamadurai Taluk, Vadamadurai Sub-Registrar Office, Dindigul District, as per the Tamil Nadu Survey and Boundaries Act, 1923, to issue separate patta as per Section 10 of the Tamil Nadu Patta Pass Book Act, 1983, on the basis of the petitioner's representation, dated 24.09.2021 and furthermore, to direct the Respondent Nos.1 and 3 to give police protection while surveying the above said lands on the basis of the petitioner's representation, dated 28.09.2021, within a time frame that may be stipulated by this Court.



WEB COPY



W.P.(MD)No.23137 of 2021

2. The petitioner's father has filed O.S.No.334 of 1997 against the respondents 4 to 6 and the suit was decreed in favour of the petitioner on 10.12.2007. Based on the decree, the petitioner is claiming to survey the land. The respondents 4 to 6 were issued notice and they received the notice and is being represented by an Advocate.

3. The learned Counsel appearing for the individual respondents submitted that they did not receive the papers filed in this writ petition.

4. This Court is not inclined to entertain such a plea and grant adjournment, since the respondents have already contested the petitioner's claim before the suit. Moreover, the prayer in this writ petition is limited prayer.



W.P.(MD)No.23137 of 2021

WEB COPY

5. Therefore, this Court is directing the 2nd respondent to survey the land and issue separate patta to the petitioner. The 2nd respondent shall seek police protection, if need be. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above said observation, the writ petition is allowed.

No costs.

Index : Yes / No

10.07.2023

Internet : Yes

NCC : Yes / No

Tmg



WEB COPY



W.P.(MD)No.23137 of 2021

To

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Tahsildar,
Vedasandhur Taluk,
Dindigul District.
- 3.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul District.



WEB COPY



W.P.(MD)No.23137 of 2021

S.SRIMATHY, J

Tmg

W.P.(MD)No.23137 of 2021

10.07.2023