



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26227 of 2023

K.Murugan

... Petitioner

Vs.

1. The Tahsildar,
Taluk Office,
Ottapidaram,
Ottapidaram Taluk,
Thoothukudi District.

2. The Taluk Surveyor,
Land Survey And Records,
Taluk Office,
Ottapidaram Taluk,
Thoothukudi District.

3. The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai – 600 002.

4. The President (Administration & Commercial),
M.N.Sudharkaran,
Ind Bharat Thermal Power Ltd.,
Plot No.30A, Road No.1,
Film Nagar, Jubilee Hills,
Hyderabad,
Telungana State.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to survey and sub-dividing and issuing



separate patta for the petitioner's share in their family name from the land of bearing Survey Nos.244/7, 246/1, 247/6, 247/7 and 245/5 - with an extent of more than 8 Acres and 44 Cents - Patta Nos. 3692 and 4330, situated at Ottapidaram Revenue Village, Ottapidaram Taluk, Thoothukudi District.

For Petitioner : Mr.R.Murugappan

For R-1 & R-2 : Mr.M.Prakash,
Additional Government Pleader.

For R-3 : Mr.S.Deenadayalan

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.

2. Issuance of notice to respondents 3 and 4 is dispensed with.

3. The petitioner has sought a composite prayer. Admittedly, the petitioner is only having joint patta. When the petitioner is having joint patta, he cannot insist for conducting survey. The petitioner must obtain individual patta in his favour.



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4. The petitioner is permitted submit an application before the first respondent for issuance of separate patta. The first respondent is directed to pass final order on the said application on merits and in accordance with law within a period of twelve weeks from the date of receipt of the application.

5. I make it clear that I have not gone into the merits of the matter. The first respondent shall put all the interested parties on notice before passing final order. It is open to the first respondent to pass order one way or the other.

6. This writ petition stands disposed of. No costs.

02.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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W.P.(MD)NO.26227 OF 2023

G.R.SWAMINATHAN,J.

PMU

To:

1. The Tahsildar,
Taluk Office,
Ottapidaram,
Ottapidaram Taluk,
Thoothukudi District.
2. The Taluk Surveyor,
Land Survey And Records,
Taluk Office,
Ottapidaram Taluk,
Thoothukudi District.

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