



W.P(MD)No.26843 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26843 of 2023

K.Suthu Raman

... Petitioner

Vs.

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Devakottai Taluk,
Sivagangai 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 respondents 1 and 2 to conclude the survey proceedings, by considering the representation of the petitioner dated 15.09.2023 within the time stipulated by this Court.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.M.Prakash
Additional Government Pleader



W.P(MD)No.26843 of 2023

ORDER

Heard both sides.

2. The petitioner's grievance is that the survey exercise that commenced based on the application of the petitioner did not conclude. That led to the filing of this writ petition.

3. When the matter was taken up for hearing, the learned Additional Government Pleader pointed out that the petitioner is not having individual patta and that only joint patta was produced. Since the petitioner's pungalies raised dispute, the survey could not be conducted.

4. It is seen that Patta No.1393 is jointly standing in the names of Sethukaruppaiya Thevar and Chellakannu Thevar. Sethukaruppaiya Thevar is the father of the writ petitioner. Therefore, the petitioner has to apply to the first respondent for subdivision. The petitioner is given liberty to file such a petition before the first respondent. The first respondent shall entertain the same and conduct enquiry after issuing



W.P(MD)No.26843 of 2023

notice to the other joint pattadhars. Appropriate order on merits and in accordance with law will be passed within a period of ten weeks after submission of application for sub division. If the parties can arrive at a consensus, the first respondent himself can pass an order. Otherwise, the parties will have to be relegated to go before the jurisdictional civil Court for partition.

5. This writ petition is disposed of accordingly. There shall be no order as to costs.

08.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Taluk Surveyor,
Devakottai Taluk,
Sivagangai District.

3/4



WEB COPY



W.P(MD)No.26843 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.26843 of 2023

08.11.2023