



WEB COPY

W.P. No.743 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.743 of 2024

R.Venkatesan

... Petitioner

Vs.

1. The District Collector
Collectorate Office
Kallakurichi Taluk
Kallakurichi District

2. The Tahsildar
Vaanapuram Taluk Office
Kallakurichi District

3. The Taluk Surveyor
Vaanapuram Taluk
Kallakurichi District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to demarcate and survey the petitioner's land to an extent of 4,362 Sq.ft. comprised in Survey No.122/1A1, situated at Vaanapuram Village and Taluk, Kallakurichi District and to issue separate Patta to the petitioner within the time to be stipulated by this Court based on the petitioner's applications dated 26.07.2018, 26.12.2022 and reminder dated 01.11.2023.

For Petitioner : Mr.R.Bharath Kumar

For Respondent Mrs.V.Yamunadevi
Special Government Pleader

**ORDER**

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This Writ Petition is filed seeking a Writ of Mandamus directing the 2nd respondent to demarcate and survey the petitioner's land to an extent of 4,362 Sq.ft., comprised in Survey No.122/1A1, situated at Vaanapuram Village and Taluk, Kallakurichi District and to issue a separate Patta to the petitioner within the time to be stipulated by this Court, based on the petitioner's applications dated 26.07.2018, 26.12.2022 and reminder dated 01.11.2023.

2. The learned counsel for the petitioner submitted that the petitioner made an application to the 2nd respondent seeking a separate sub division Patta on 26.07.2018 and also paid the necessary charges on the same day. However, no steps were taken. Hence, he made an application to the 1st respondent during Monday Grievance Day viz., 26.12.2022 and thereafter a reminder was also sent on 01.11.2023. However, till now no steps have been taken on the petitioner's applications. Hence, the present writ petition is filed before this Court.

3. Mrs.V.Yamunadevi, learned Special Government Pleader takes notice for the respondents.



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4. It is to be noted that this Court, in W.P.No.262 of 2018 (D.Tulasi vs. The District Revenue Officer, Dharmapuri etc. and batch), by order dated 09.06.2023, directed the Department to issue circular in regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a circular No.R1/2005632/2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters have to be disposed of has been fixed in the circular and inspite of the same, the Departments are not following either the order of this Court or the circular.

5. The present writ petition is filed only for issuance of a simple writ of mandamus to direct the respondents to consider the petitioner's applications dated 26.07.2018, 26.12.2022 and reminder dated 01.11.2023. Therefore, without going into the merits of the case, this Court directs the respondents to consider the petitioner's applications if already not considered and issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property and also to the interested parties/rival claimants/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass



orders in accordance with law and dispose of the petitioner's applications within the time as stipulated in the said circular.

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6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

12.01.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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