



WEB COPY

W.P. No.2413 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.2413 of 2024

Eswari

... Petitioner

Vs.

1. The District Collector
Tiruppur, Tiruppur District

2. The Revenue Divisional Officer
Tiruppur, Tiruppur District

3. The Tahsildar
Palladam, Tiruppur District

4. The Surveyor
Palladam, Tiruppur District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd and 4th respondents to issue a separate sub division Patta after conducting survey to the petitioner in respect of petitioner property comprised in S.No.374/1B situated at Sukkampalayam, Palladam Taluk, Tiruppur District by considering petitioner representation dated 17.10.2023 and 14.11.2023.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.A.Selvendran
Special Government Pleader

**ORDER**

This Writ Petition is filed seeking a Writ of Mandamus directing the 3rd and 4th respondents to issue a separate sub division Patta after conducting survey, to the petitioner in respect of petitioner property comprised in S.No.374/1B situated at Sukkampalayam, Palladam Taluk, Tiruppur District by considering petitioner representation dated 17.10.2023 and 14.11.2023.

2. The learned counsel for the petitioner submitted that the petitioner had made a representation to the 3rd respondent on 17.10.2023 to issue a separate sub division Patta and he had also paid the fee vide e-challan No.20231016009174 on 16.10.2023 itself and still the same has not been considered. Hence, the present writ petition is filed.

3. Mr. A. Selvendran, learned Special Government Pleader takes notice for the respondents.

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. Since this Writ Petition is filed seeking a simple writ of mandamus, this Court without expressing any opinion with regard to the merits of the case, directs the respondents to consider the petitioner's application dated 16.10.2023 and issue notice to the petitioner and the adjacent land owners of the four boundaries of the subject property and also to the rival claimants/interested parties/objectors if any as the case may be and conduct enquiry in the manner known to law and if the respondents find that the petitioner is otherwise eligible and his application is otherwise in order, conduct survey and pass orders on merits and in accordance with law, within the period as stipulated in the circular, from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of at the



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admission stage itself. There shall be no order as to costs.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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P.VELMURUGAN. J.

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