



W.P.No.3631 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3631 of 2024

Elumalai

... Petitioner

versus

1. The Thasildar,
Office of Thasildar,
Vazhapadi, Vazhapadi,
Salem District.

2.The Taluk Surveyor,
Vazhapadi, Salem District.

.... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to survey the property comprised in S.F.No.91/8, 91/11 (Patta No.20), Sirumalai Village, Salem District and consequently issue separate Patta in the name of the petitioner with respect of the said property, by considering the representation



W.P.No.3631 of 2024

of the petitioner herein dated 30.05.2022 and 20.11.2023, within a reasonable time as fixed by this Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the respondents. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents herein to consider the representations of the petitioner dated 30.05.2022 and 20.11.2023, respectively, wherein and whereby, he sought to survey the property comprised in S.F.No.91/8, 91/11 (Patta No.20), Sirumalai Village, Salem District and issue separate Patta in the name of the petitioner in respect of the said property.



W.P.No.3631 of 2024

3. The main grievance of the petitioner is that even though the representations have been made on 30.05.2022 and 20.11.2023, respectively, by paying requisite fees, till date, the same has not been considered by the respondents.

4. The learned Additional Government Pleader appearing for the respondents submitted that the prevailing practice regarding submission of application seeking issuance of Patta and survey as on date is only through online by paying requisite fees vide e-challan. In the present case on hand, the petitioner has not made the application through online. The learned Special Government Pleader further submitted that if the petitioner submits an application through online by paying requisite fees, the same will be considered by the respondents.



W.P.No.3631 of 2024

5. Therefore, the petitioner is directed to submit an application through online by paying requisite fees through e-challan. If the online application would be filed by the petitioner and the same is otherwise in order, the respondents are directed to pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as rival claimants/interested parties, if any, within the stipulated time as stated in Circular No.R1/2005632/2022, dated 17.07.2023 issued by the Commissioner of Land Administration from the date of receipt of the online application.

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

16.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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Page Nos.4/6



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W.P.No.3631 of 2024

To

1. The Thasildar,
Office of Thasildar,
Vazhapadi, Vazhapadi,
Salem District.
2. The Taluk Surveyor,
Vazhapadi, Salem District.



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W.P.No.3631 of 2024

P.VELMURUGAN, J.

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W.P.No.3631 of 2024

16.02.2024

Page Nos.6/6