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W.P. No.4824 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4824 of 2024

Kousalyadevi

... Petitioner

Vs.

1. The District Collector

O/o.The District Collector

Erode - Post & District

2. The Revenue Divisional Officer

O/o. The Revenue Divisional Officer

Gobichettypalayam - Post

Erode District

3. The Tahsildar

O/o.The Tahsildar

Nambiyur-Post

Erode District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the 2nd respondent to conduct survey on petitioner's land to an extent of 3.81 Acres of Punjai situated at Survey No.8 (now 8/2A) in Nambiyur 'A' Village & Taluk, Erode District and to issue separate Patta for the common pathway in the Survey Nos.3,6,7 and 38 Nambiyur 'A' Village & Taluk, Erode District by considering the registered gift settlement deed in Document No.147/1997 on the file of the Sub Registrar Office, Nambiyur-Taluk, Erode-District and Document No.1065 of



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1951 dated 19.05.1951, online application dated 27.01.2023 vide Challan No.20230127010578.

For Petitioner : Mr.D.Veerasekharan

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to conduct survey on petitioner's land to an extent of 3.81 Acres of Punjai situated at Survey No.8 (now 8/2A) in Nambiyur 'A' Village & Taluk, Erode District and to issue separate Patta for the common pathway in the Survey Nos.3,6,7 and 38 Nambiyur 'A' Village & Taluk, Erode District by considering the registered gift settlement deed in Document No.147/1997 on the file of the Sub Registrar Office, Nambiyur-Taluk, Erode-District and Document No.1065 of 1951 dated 19.05.1951, online application dated 27.01.2023 vide Challan No.20230127010578.

2. The learned counsel for the petitioner submitted it would suffice if a direction is issued to the respondents to consider the petitioner's online



application dated 27.01.2023 vide Challan No.20230127010578 made in respect of surveying the petitioner's land and for issuance of separate Patta.

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3. Mr.S.J.Mohamed Sathik learned Government Advocate takes notice for the respondents.

4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's online application, this Court without expressing any opinion with regard to the merits of the case, directs the respondent concerned to consider the petitioner's online application dated 27.01.2023 and issue notice to the petitioner and to the 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 and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.



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



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To

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Erode - Post & District

2. The Revenue Divisional Officer
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P.VELMURUGAN. J.

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