



W.P.No.6685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6685 of 2024

M.Jayakumar

... Petitioner

versus

1. The District Collector,
Namakkal District.

2. The Tahsildar,
Tiruchengode.

3. The Land Surveyor (Firka Surveyor),
Tiruchengode.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to survey the petitioner's property in S.F.No.196, situated at Erayamangalam Village, Tiruchengode Taluk, Namakkal District to an extent of 3.36 acre and sub divide and issue separate patta in favour of the petitioner by considering the petitioner's representation dated 05.06.2023 and as per challan dated 02.09.2023.



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For Petitioner : Mr.R.Marudhachalamurthy
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special 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 to survey the petitioner's property in S.F.No.196, situated at Erayamangalam Village, Tiruchengode Taluk, Namakkal District, measuring an extent of 3.36 acres and sub-divide and issue separate Patta in favour of the petitioner, by considering the petitioner's representation dated 05.06.2023 and as per challan dated 02.09.2023.

3. The main grievance of the petitioner is that even though he has given a representation dated 05.06.2023, by remitting requisite fees through



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E-challan, till date, the respondents have not taken any action on the said representation.

4. The learned Special Government Pleader appearing for respondents submitted that the petitioner herein has already filed a writ petition in W.P.No.28364 of 2022 before this Court, seeking to conduct survey and fix the boundaries in respect of the subject property. This Court by order dated 27.10.2022, directed the respondents therein to dispose of the said representation. Pursuant to the directions of this Court dated 27.10.2022, the second respondent conducted survey and found that the petitioner is having only 3 acres 10 cents of land. However, now the petitioner has come up with the present writ petition seeking patta in respect of the property measuring an extent of 3 acres 36 cents.

5. Heard both sides and perused the materials available on record.

6. It is seen that the petitioner has already approached this Court for conducting survey in respect of the subject property and this Court has also given directions. Accordingly, the second respondent conducted survey and



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found that the petitioner is having only 3 acres 10 cents of land, however, now the petitioner is seeking Patta in respect the property measuring an extent of 3 acres 36 cents. Since there is a dispute regarding the extent of the subject property, neither the Writ Court nor the Revenue Officers can decide the matter. However, the petitioner is at liberty to approach the Civil Court to work out his remedy in the manner known to law.

7. In view of the above, the writ petition is dismissed. However, 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

1. The District Collector,
Namakkal District.
2. The Tahsildar,
Tiruchengode.
3. The Land Surveyor (Firka Surveyor),
Tiruchengode.

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P.VELMURUGAN, J.
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