



W.P.No.8079 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :06.11.2024

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.8079 of 2024

C. Rajkumar

... Petitioner

Vs

1. The Thasildar,
Thasildar Office,
Natrampallai,
Tirupattur District.

2. The Land Surveyor,
Natrampallai Taluk,
Tirupattur District

3. Chinnathottan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondents 1 and 2 to survey the land of the petitioner and issue separate patta for the property situated in S.No. 289/1A to the extent of 0.30 cents, situated at Old Pettai, Natrampalli Taluk, Tirupattur District by considering the petitioner representation dated 19.05.2023.

For Petitioner : M. Arun



W.P.No.8079 of 2024

For Respondents : Mr.M.R. Gokul Krishnan
Additional Government Pleader
for R1 & R2

ORDER

Aggrieved by the fact that his applications dated 25.09.2018 and 25.06.2022 and representation dated 19.05.2023 for a separate patta have not been considered to date, the petitioner is before this Court.

2. It is the case of the petitioner that he had purchased the property from the 3rd respondent under a Sale Deed dated 15.07.2014. After executing the sale in favour of the petitioner, the 3rd respondent had initiated the proceedings for cancellation of the sale deed by filing a suit in O.S.No.130 of 2015 on the file of the Additional District Munsif, Tirupattur and also sought for permanent injunction. After hearing both the parties, the suit was dismissed and the sale deed in favour of the petitioner was found to be a genuine document. Since the third respondent attempted to interfere with the petitioner's peaceful possession of the property, the petitioner had filed a suit in O.S.No.94



W.P.No.8079 of 2024

of 2019 on the file of the Additional District Munsif, Tirupattur for a permanent injunction, which was decreed on 27.10.2001. An appeal in A.S.No.12 of 20019 preferred by the 3rd respondent against the judgment and decree in O.S.No.130 of 2015 on the file of the Subordinate Judge, Tirupattur was dismissed for default on 15.03.2021.

3. Heard the learned counsel on either side.

4. It is seen that that though the petitioner had purchased the property and a Sale Deed has been upheld, the request for a separate patta has not been considered to date.

5. In these circumstances, a Mandamus is issued to the respondents to consider the petitioner's representation, dated



W.P.No.8079 of 2024

19.05.2023 and pass orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. The writ petition stands allowed, accordingly. There shall be no order as to costs.

06.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To

1. The Thasildar,
Thasildar Office,
Natrampallai, Tirupattur District.
2. The Land Surveyor,
Natrampallai Taluk, Tirupattur District.

P.T.ASHA, J.,

srn



WEB COPY



W.P.No.8079 of 2024

W.P.No.8079 of 2024

06.11.2024