



WEB COPY



W.P. No. 18864 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P. No. 18864 of 2024

S.A.Senthilkumar

... Petitioner

-VS-

1. District Collector
O/o. District Collector
Coimbatore.

2. Revenue Divisional Officer
O/o. Revenue Division
Coimbatore.

[Amended as per order dated
05.08.2024 in W.M.P. No. 24187
of 2024 by this Court]

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to cancel the subdivision wrongly made in Survey NO. 313/1A, Kaaduvettipalayam Village, Sulur Taluk, Annur SRO, Coimbatore District by the 2nd respondent without perusal of the gift deed dated 21.05.1968, sale deed dated 29.02.1984 and registered Will dated 11.12.2018 and further direct the 2nd respondent to re-survey the property situated in Survey No. 313, Kaaduvettipalayam Village, Sulur Taluk, Annur SRO, Coimbatore District an extent of 6 acres 53 cents as per the Gift Deed, Sale Deed and registered Will mentioned above in view of the representation dated 31.05.2024.

For Petitioner

: M/s. P.Tamilvel



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For Respondents : Mr. P.Sathish, AGP (R1 & R2)

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ORDER

Though the petitioner sought for a larger prayer, at the time of arguments, the learned counsel for the petitioner submits that he would be satisfied if the representation dated 31.05.2024 made by the petitioner to the respondents is considered on merits.

2. According to the petitioner, his father, Annamalaigounder purchased a land, with an extent of 1 acre and 53 cents in Survey No. 313/2A at Kaaduvettipalayam Village, Suler Taluk, Annur SRO, Coimbatore District. According to the petitioner, the total extent of land available in Survey No. 313 is 6 acres 53 cents. The petitioner's father purchased 1 acre 53 cents.

3. According to the petitioner, the sub division of the said survey number was not correctly done with reference to the title documents of respective parties. Hence, a representation was made by him to the first respondent seeking cancellation of the sub-division already made and also fresh sub division of the survey number with reference to the title documents of the respective parties. The copy of the representation was also sent to the second respondent.

4. In view of the submissions made by the learned counsel for the



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petitioner that he will be satisfied if a direction is issued to the second respondent to consider his representation, without going into the merits of the matter, this Court is inclined to issue a direction to 2nd respondent to consider the representation of the petitioner dated 31.05.2024 and dispose of the same in accordance with law within a period of four(4) weeks from the date of receipt of a copy of this order. No costs.

05.08.2024

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Index: Yes/No

NCC: Yes/No

Maya

To

1. District Collector
O/o. District Collector
Coimbatore.
2. Revenue Divisional Officer
O/o. Revenue Division
Coimbatore.



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S.SOUNTHAR, J.

Maya

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