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W.P No.30378 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.30378 of 2024

Palanisamy

...Petitioner

Vs.

1. The Tahsildhar,
Office of Tahsildhar,
Anthiyur Taluk, Erode District.
2. The Taluk Surveyor,
Anthiyur Taluk, Erode District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to survey the property comprised in SF.No.155/1, 155/5 at Sennampatti Village at Anthiyur Taluk, Erode District and to sub-divide and issue separate patta to fix boundary lines by considering the representation of the petitioner herein dated 26.02.2024 & 24.07.2024.



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For Petitioner : M/s.D.Jeevitha
for Mr.R.Nalliyappan

For Respondents : Mr.P.Sathish for R1 to R2
Additional Government Pleader

For Intervenor : Mr.P.Kannankumar

ORDER

The petitioner herein seeks a direction to the respondents to survey his property situated in S.Nos.155/1 and 155/5 at Sennampatti Village at Anthiyur Taluk, Erode District, by considering his representation dated 26.02.2024 and 24.07.2024.

2. It is the case of the petitioner that 25 cents of land in S.No.155/1 and 1 are 4.5 cents of land in S.No.155/5 in Sennampatti Village at Anthiyur Taluk, Erode District, were allotted to the petitioner's share under registered partition between him and his sister Mani dated 07.09.2010. Based on the said document, the petitioner submitted a representation before the respondents seeking survey and sub-division of the property and issuance of patta in his name. The representation has not been considered by the respondents. Hence the petitioner is before this Court.



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3. Mr.P.Sathish, learned Additional Government Pleader, who takes notice for the respondents 1 & 2 would submit that the representation of the petitioner dated 24.07.2024 will be considered, on its own merits, within a time frame fixed by this Court.

4. Mr.P.Kannankumar, learned counsel appearing for one Chellamuthu son of Kandappa Gounder / intervenor submitted that in respect of the very same property, 107 proceedings is pending on the file of the first respondent.

5. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 24.07.2024 and pass final order, on its own merits, within a period of 8 weeks from the date of receipt of copy of this order, after issuing necessary notice to the petitioner and 'A' party in 107 proceedings initiated by the first respondent in his proceedings in Na.Ka.No.2177/2024/A4 dated 12.06.2023.



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6. With the above directions, this Writ Petition is disposed of. No

costs.

17.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To

1. The Tahsildhar,
Office of Tahsildhar,
Anthiyur Taluk, Erode District.
2. The Taluk Surveyor,
Anthiyur Taluk, Erode District.



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S.SOUNTHAR, J.

dna

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