



WP.No.33812 of 2024

In the High Court of Judicature at Madras

Dated : 22.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.33812 of 2024

Viswanathan

...Petitioner

Vs

1.The Tahsildar, Uthangarai
Taluk, Krishnagiri District.

2.The Taluk Surveyor, Taluk
Office, Uthangarai Taluk,
Krishnagiri District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to carry on the field inspection and to demarcate the petitioner's property in Survey No.53/1 to an extent of 10 cents situated at Kollanur Village, Uthangarai Taluk, Dharmapuri District and to consequently direct the respondents to allot appropriate sub-division separately earmarking the petitioner's property and issue patta.

For Petitioner : Mr.J.Pradeep
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the respondents to conduct a survey,



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demarcate the boundaries, allot subdivision and issue a patta in respect of the property measuring an extent of 10 cents comprised in in Survey No.53/1 situated at Kollanur Village, Uthangarai Taluk, Dharmapuri District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The petitioner along with one Mr.M.Kanagaraj acquired the said property by way of a sale deed dated 24.5.2024 registered as doc.No.3381 of 2024 on the file of the Sub-Registrar, Uthangarai. Pursuant to that, the said Mr.M.Kanagaraj applied to the first respondent on 04.7.2024 to conduct a survey, demarcate the boundaries, make subdivision and issue a patta in respect of the said property. The said Mr.M.Kanagaraj also paid the necessary fees. However, nothing was forthcoming. Hence the writ petition.

4. The fact that the said property belongs to the petitioner and the said Mr.M.Kanagaraj is seen from the narration in the affidavit filed in support of the writ petition. Since they acquired the said property by way of sale for a valid sale consideration, the said Mr.M.Kanagaraj requested the first respondent for surveying the said property,



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demarcating its boundaries, making subdivision and issuing a patta.

The petitioner also followed up the matter by sending a representation dated 01.10.2024 to the first respondent as well as the District Collector, Krishnagiri.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to conduct survey of the said property, demarcate the boundaries, make subdivision separately earmarking the petitioner's property and issue patta in respect of the said property. The petitioner shall submit all the relevant records to show their title to the said property and the first respondent shall, after issuing notice to the interested parties, hold an enquiry and thereafter, pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

22.11.2024

RS



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P.T.ASHA,J

RS

To

- 1.The Tahsildar, Uthangarai
Taluk, Krishnagiri District.
- 2.The Taluk Surveyor, Taluk
Office, Uthangarai Taluk,
Krishnagiri District.

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