



W.P.(MD).No.276 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.276 of 2024

Kalimuthu

... Petitioner

VS.

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Tahsildar,
Sankarankoil Taluk,
Tenkasi District.
- 3.The Taluk Surveyor,
Sankarankoil Taluk,
Tenkasi District.
- 4.The Inspector of Police,
Panavadali Chathiram Police Station,
Tenkasi District.
- 5.Thalavachi @ Thangathaai

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to issue separate patta by surveying the land situated in S.No.747/1, to an extent of 72 cents (house and land) of South Panavadali Village, North Panavadalai Panchayat, Sankarankoil Taluk, Tenkasi District by demarcating the boundaries with the help of 4th respondent police, on the basis of the petitioner's representation dated 16.12.2023.

For Petitioner	: Mr.M.Sankar
For R1 to R3	: Mrs.K.Christy Theboral Additional Government Pleader
For R4	: Mr.M.Aasha Government Advocate (Crl.side)

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to issue separate patta by surveying the land situated in S.No.747/1, to an extent of 72 cents (house and land) of South Panavadali Village, North Panavadalai Panchayat, Sankarankoil Taluk, Tenkasi District by demarcating the boundaries with the help of 4th respondent police, on the basis of the petitioner's representation dated 16.12.2023.



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2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he got properties in S.No.747/1 to an extent of 72 cents (house and land) of South Panavadali Village, North Panavadali Panchayat, Sankarankoil Taluk, Tenkasi District. Earlier, his father sold 8 cents of land out of 72 cents in the above said properties. While so, the petitioner has forwarded a detailed representation to the respondents 1 to 4 on 16.12.2023, requesting them to survey the land with the help of the fourth respondent police. Since the said representation has not been considered so far, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 has produced the copy of the proceedings of the Revenue Tahsildar, Sankarankovil in Na.Ka.Aa.9/401/2023, dated 06.01.2024 and submitted that the petitioner's representation can be



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considered only after producing appropriate documents of his title as well as his possession and enjoyment before the said authorities.

5. Considering the above said submissions, this Court directs the petitioner to produce appropriate documents relating to title as well as possession and enjoyment before the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to consider the petitioner's representation, dated 16.12.2023 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity to the parties concerned, within a period of fourteen weeks thereafter.

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

08.01.2024

Index: Yes/No
Internet: Yes/No
NCC: Yes/No
akv

To

4/6



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V.BHAVANI SUBBAROYAN,J.



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