



W.P.(MD) No.25379 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25379 of 2024

and

W.M.P.(MD) No.21528 of 2024

1.Neelakanda Moorthi
2.Rengasamy

.. Petitioners

Vs.

1.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

2.The Taluk Head Surveyor,
Peravurani Taluk,
Thanjavur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.08.2024 and to conduct survey of the land and ear mark the four boundaries in Survey No.192/14 situated in Nattanikottai Village, Peravurani Taluk, Thanjavur District and to effect sub-division of the land and consequently issue separate patta in the name of G. Neelagandamurthy and his brother G.Rengasamy within the time limit that may be fixed by this Court.



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For Petitioners : Mr.M.Gangatharan
For Respondents : Mr.Mr.P.Thambidurai
Government Advocate

ORDER

This writ petition has been filed for a mandamus directing the respondents to consider the petitioner's representation dated 19.08.2024 and to conduct survey of the land and ear mark the four boundaries in Survey No.192/14 situated in Nattanikottai Village, Peravurani Taluk, Tanjavur District and to effect sub-division of the land and consequently issue separate patta in the name of G.Neelagandamurthy and his brother G.Rengasamy.

2. The case of the petitioners is that the land in S.No.192/14 of the above said Village measuring an extent of 0.39.50 Ares, originally belonged to one Savuriraja Iyengar. The petitioners' grandfather Ramasamy purchased an extent of 0.37.50 Aers by way of three registered sale deeds from Srinivasa Iyengar, Ramanuja Iyengar and



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Shenbagathammal, who are sons and wife of Savuriraja Iyengar. While so, the petitioner's father died leaving behind the petitioners as his legal heirs. Thereafter, in the year 1996, in the presence of the village elders, the petitioners' grandfather divided the property into two equal parts and allotted one share of 46 cents to the petitioners and the another share of 46 cents was allotted to the petitioners' father's younger brother. The petitioners' names were entered into the revenue records as joint pattadars. When they have decided to sell the property, they approached the respondents to issue separate patta. The respondents have also inspected the land and advised to pay necessary charges for conduct of survey for issuance of patta. Accordingly, the petitioners have submitted their representation dated 19.08.2024 through online along with payment challan. On receipt of the same, the respondents also issued acknowledgment receipt. Thereafter, the petitioners also approached the respondents in person and requested to conduct survey. The respondents also assured to conduct the survey. But till date, they have not received any information from the respondents. Therefore, the present writ petition.



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3. Heard the learned counsel on either side.

4. Considering the case of the petitioners and also the fact that the petitioners have made their representation as early as on on 19.08.2024, a mandamus is issued to the respondents to conduct survey and subdivision of the petition mentioned property. The petitioners shall submit all the relevant records to show their title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to 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 eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes/No
Index : Yes/No
abr

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To

- 1.The Tahsildar,
Peravurani Taluk,
Thanjavur District.
- 2.The Taluk Head Surveyor,
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P.T.ASHA, J.

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