



W.P.(MD) No.25633 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25633 of 2024

and

W.M.P.(MD) No.21738 of 2024

1.Pandian @ Vellai Pandian

2.Nagamani

.. Petitioners

Vs.

1.The District Collector,
Collectorate, Theni.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Taluk Head Surveyor,
Taluk Office, Andipatti,
Theni District.

4.The Block Development Officer,
Panchayat Union Office,
Andipatti, Theni District.

5.The President,
Rajathani Panchayat,
Andipatti Taluk,



W.P.(MD) No.25633 of 2024

Theni District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to conduct survey and fix four boundaries with respect to petitioners' properties in S.F.Nos.162/1 and 195/3 which are situated in Rajathani Village, Andipatti Taluk, Theni District and consequently direct the 2nd respondent to issue separate patta to petitioners with respect to properties in S.F.Nos.162/1 and 195/3 which are situated in Rajathani Village, Andipatti Taluk, Theni District based on petitioners' representations dated 30.07.2024 and 08.10.2024.

For Petitioners : Mr.S.Krishnan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Seeking a mandamus to the second and third respondents to conduct survey and fix four boundaries with respect to the properties in S.F.Nos.162/1 and 195/3, which are situate in Rajathani Village, Andipatti Taluk, Theni District and consequently direct the second respondent to issue separate patta with respect to the abovesaid



W.P.(MD) No.25633 of 2024

properties based on their representations dated 30.07.2024 and 08.10.2024, the petitioners are before this Court.

2. The case of the petitioners is that the petitioners jointly own properties in S.F.Nos.162/1 and 195/3 in the aforesaid village. They have joint patta for the above said survey numbers in Patta Nos.667 and 601 respectively. Since the petitioners faced difficulties due to joint patta, they applied for separate patta and measurement of their land to the second and third respondents on 17.12.2023 and 30.07.2024 followed by a detailed representation on 23.09.2024. Since the same were not considered by the respondents, they once again made another representation on 08.10.2024. Since no steps have been taken on the same, the petitioners are before this Court.

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 on 23.09.2024, a mandamus is



W.P.(MD) No.25633 of 2024

WEB COPY

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 two months 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.

28.10.2024

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

abr



W.P.(MD) No.25633 of 2024

WEB COPY

To

- 1.The District Collector,
Collectorate, Theni.
- 2.The Tahsildar,
Andipatti Taluk,
Theni District.
- 3.The Taluk Head Surveyor,
Taluk Office, Andipatti,
Theni District.
- 4.The Block Development Officer,
Panchayat Union Office,
Andipatti, Theni District.
- 5.The President,
Rajathani Panchayat,
Andipatti Taluk,
Theni District.



WEB COPY



W.P.(MD) No.25633 of 2024

P.T.ASHA, J.

abr

W.P.(MD) No.25633 of 2024

Dated: 28.10.2024