



WEB COPY

WP No. 3960 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 3960 of 2025

AND

WMP NO. 4403 OF 2025

1. K.R.Sivasubramanian
S/o (late) D.S. Ramasamy No 13, 2nd
Cross Street, G.H. Road,
Kavundhapadi, Erode 638 455

Petitioner(s)

Vs

1. The Tahsildar
BHAVANI

Respondent(s)

PRAYER

This writ petition filed under Article 226 of Constitution of India for issuance of writ of Certiorarified mandamus calling for the records on the file of the Respondent herein in Oo. Mu. Ve. Ku. Thee. Ma No 01/ 2023 / S1 dated 18.08.2023 and order No 2024 / 0105 / 10 / 293414 dated 08.05.2024 issued by the Respondent herein, quash the same and issue directions to the Respondent to issue individual patta in the name of the petitioner herein and survey the land belonging to the petitioner situated in survey Nos 699/3,4 within a limited time frame as deemed fit by this Court



For Respondent: Mr.A.Selvendran
Special Government Pleader

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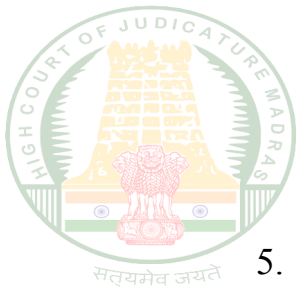
ORDER

This writ petition has been filed challenging the impugned proceedings of the respondent dated 18.08.2023 and 08.05.2024 and for a consequential direction to the respondent to issue individual patta in the name of the petitioner with respect to the subject property.

2. Heard Mr.P.Aravindhnan, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for respondents.

3. The petitioner claims right over the subject property by virtue of a sale deed of the year 2006 registered as document No.732 of 2006. The petitioner was in possession and enjoyment of the property. Previous owners created some problem by attempting to disturb the peaceful possession and enjoyment of the property. The suit was also filed and was dismissed for default.

4. The petitioner submitted an application seeking for conducting the survey in the subject property. This application was rejected by the respondent mainly on the ground that objections were raised by the rival claimants and there is no separate sub-division of the property in order to undertake the survey. Aggrieved by the same, this writ petition has been filed before this Court.



5. When the matter was taken up for hearing today, the learned Additional Government Pleader on instructions submitted that both the rival claimants have died.

6. In the light of the above development, the impugned proceedings of the respondent dated in Oo. Mu. Ve. Ku. Thee. Ma No 01/ 2023 / S1 dated 18.08.2023 and order No 2024 / 0105 / 10 / 293414 dated 08.05.2024 are hereby quashed. The matter is remitted back to the file of the respondent. The respondent shall act upon the application submitted by the petitioner and shall conduct the survey in the subject property and demarcate the boundaries based on the title deed relied upon by the petitioner. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

05-03-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.
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To
The Tahsildar,
Bhavani

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