



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4336 of 2025

Mr.Gopal

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Krishnagiri District.
- 2.The Revenue Divisional Officer,
Office of RDO,
Krishnagiri District.
- 3.The Tahsildar,
Office of Tahsildar,
Burgoor,
Krishnagiri District.
- 4.The Sub Registrar,
Sub Registrar Office,
Burgoor,
Krishnagiri District.

5.Mr.Munusamy

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent herein to consider the representation of the petitioner dated 30.9.2024 herein and consequently rectify the wrong sub division made to the property of the petitioner vide S.No.337/2A, 1B, 2A2, 2B, 3, 4 ,5 in BRG Madheypalli village, Burgoor Taluk, Krishnagiri District.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R1 to R4

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 3rd respondent to deal with the representation made by the petitioner on 30.09.2024 wherein, the petitioner is seeking for rectification of the wrong sub division made and for rectification of the extent of path way that has been shown during sub division.

2.Heard Mr.R.Ramesh, learned counsel appearing on behalf of the petitioner and Mr.M.R.Gokul Krishnan, learned Additional Government Pleader appearing on behalf of respondents 1 to 4.



WEB COPY

3.The case of the petitioner is that he was the owner of the property measuring an extent of 1.15 acres. The petitioner sold an extent of 0.5 cents to one Ramamoorthy through a registered Sale Deed in the year 2002. While executing this Sale Deed, the pathway was shown as 15 feet. The remaining property was sold by the petitioner in favour of five persons and even in that document, the pathway was shown as 15 feet. This was retained to be used as an access to the property belonging to the petitioner.

4.The grievance of the petitioner is that the 3rd respondent had made a subdivision and at that time, instead of mentioning the extent of the common pathway as 15 feet, it was mentioned as 25 feet. In view of the same, the petitioner has been put to prejudice and the private parties are take advantage of the same. It is under these circumstances, the petitioner made a representation to rectify the extent of the common passage which was recorded at the time of subdivision. Since the same was not considered, the present writ petition has been filed before this Court.



5. Taking into consideration the facts and circumstances of the case and considering the grievance expressed by the petitioner and the materials placed before this Court, there shall be a direction to the 3rd respondent to deal with the representation made by the petitioner on 30.09.2024 after affording opportunity to all interested parties and a final order shall be passed on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above directions. No Costs.

13.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1. The District Collector,
Office of the District Collector,
Krishnagiri District.



2. The Revenue Divisional Officer,
Office of RDO,
Krishnagiri District.

3. The Tahsildar,
Office of Tahsildar,
Burgoor,
Krishnagiri District.

4. The Sub Registrar,
Sub Registrar Office,
Burgoor,
Krishnagiri District.



WEB COPY



N. ANAND VENKATESH, J.

SSI

W.P.No.4336 of 2025

13.02.2025