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W.P.No.6168 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.6168 of 2025

K.Sankar

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Kallakurichi District.

2. The Tahsildar, Office of Tahsildar,
Kallakurichi Taluk, Kallakurichi District.

3. The Head Surveyor, Office of the Tahsildar,
Kallakurichi Taluk, Kallakurichi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the second and third respondent authorities to measure the petitioner's property and issue separate patta in favour of the petitioner after appropriate sub division to the petitioner's property in properties in Survey Nos.163/1 to an extent of about 66 cents, S.No.165/5B2 to an extent of about 50 1/2 cents and S.No.165/4B to an extent of about 2 1/2 cents in Eryarpalayam Village, Kallakurichi Taluk and Kallakurichi District by disposing of the petitioner's application dated 05.11.2024 vide application No.2024/0105/33/517487 within such time as



may be stipulated by this Hon'ble Court.

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For Petitioner : M/s.V.Ranjitha

For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the second and third respondents to act upon the application submitted by the petitioner on 05.11.2024 wherein the petitioner is seeking for conducting a survey in the subject property and for demarcation of boundaries.

2. Heard M/s.V.Ranjitha, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents.

3. The petitioner is claiming right and title over the subject property through a registered sale deed dated 18.03.2024. The petitioner is also placing reliance upon the joint patta that was issued in Patta No.4192. The petitioner wanted the property to be sub-divided and for issuance of a

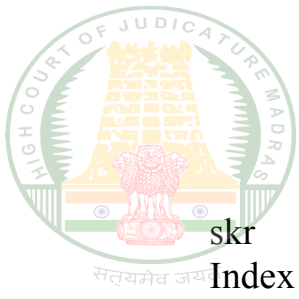


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separate patta in the name of the petitioner. Hence the petitioner submitted an online application on 05.11.2024 seeking for survey of the subject property. Since the same was not acted upon, the present writ petition has been filed before this court.

4. Taking into consideration the facts and circumstances of the case and the materials placed before this court, there shall be a direction to the second and third respondents to act upon the application submitted by the petitioner on 05.11.2024 and that the survey shall be conducted based on the title document and the joint patta that stands in the name of the petitioner. While conducting the survey, the other two persons in whose name the joint patta stands shall also be issued notice and the survey can be conducted in their presence. This process shall be completed by the second and third respondents within a period of four weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.



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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

N. ANAND VENKATESH, J.

skr

To

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