



WEB COPY

WP NO. 19676 of 2025  
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

CORAM

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**WP NO. 19676 of 2025**

C. Sivakumar

Petitioner(s)

Vs

1. The District Collector,  
Salem, Salem District.
2. The Sub Collector,  
Mettur Taluk, Salem District.
3. The Tahsildar,  
Omalur Taluk,  
Salem District.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 3<sup>rd</sup> respondent to conduct a survey in respect of land in S.No.75/1, (New Survey No.75/1A1) situated at Amaragundhi Village, Omalur Taluk, Salem District and issue separate patta in favour of the petitioner as per the order of 2<sup>nd</sup> respondent dated 19.09.2022 and by considering the petitioner's representation dated 16.03.2023 and 19.03.2025.

**For Petitioner(s) : Ms.D. Sahithya**

**For Respondent(s) : Mr. P. Sathish, AGP for R1 to R3**



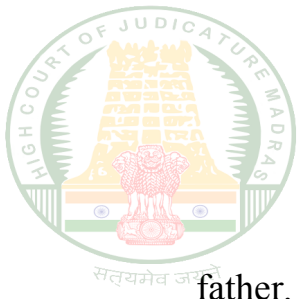
WEB COPY

## **ORDER**

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition is filed seeking for a direction to the 3<sup>rd</sup> respondent to conduct a survey in respect of land in S.No.75/1, (New Survey No.75/1A1) situated at Amaragundhi Village, Omalur Taluk, Salem District and issue separate patta in favour of the petitioner as per the order of 2<sup>nd</sup> respondent dated 19.09.2022 and by considering the petitioner's representation dated 16.03.2023 and 19.03.2025.

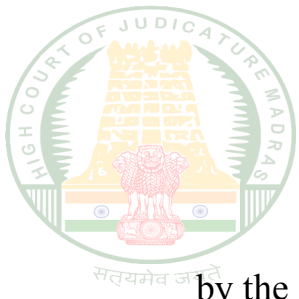
3. It is submitted by the learned counsel for the petitioner that the petitioner is in possession of land in Survey No.75/1, measuring 2.77.0 Hecs (6.84.5 acres) situate at Amargundhi Village, Omalur Taluk, Salem District and he acquired the said land by way of a gift Settlement Deed executed in favour of him by his father. Since his father's vendor had disposed the entire property to several persons by way of several sale deeds, joint patta was assigned in patta No.1266 in the name of 10 persons including petitioner's



WEB COPY

father. As the land in which the petitioner is presently in possession did not match the actual extent of land purchased by his father, the petitioner made an application before the 2<sup>nd</sup> respondent for granting separate patta. After conducting an enquiry, the 2<sup>nd</sup> respondent vide his proceedings in Mu.Mu 29/2022/C, dated 19.09.2022 directed the 3<sup>rd</sup> respondent to conduct a survey in respect of the subject property, sub divide the same and issue separate patta, however, the 3<sup>rd</sup> respondent did not conduct survey as per the order of the 2<sup>nd</sup> respondent. Hence, the petitioner made a representation before the 3<sup>rd</sup> respondent on 19.03.2025 seeking to survey the property and sub divide the same and issue separate patta as per the order of 2<sup>nd</sup> respondent dated 19.09.2022. Since the petitioner's representation was not considered by the 3<sup>rd</sup> respondent till date, the present writ petition has been filed before this Court.

4. On this being pointed out, the learned Addl. Government Pleader would submit that the petitioner has to make an online application for surveying the property and for issuance of separate patta and if any such online applications are made by the petitioner, the same would be considered



WEB COPY

by the authorities and appropriate orders would be passed in accordance with law, which was agreed to by the learned counsel for the petitioner.

5. The learned counsel for the petitioner would seek liberty to make an online application for survey as well as for issuance of separate patta.

6. In view thereof, liberty is granted to the petitioner to make online applications for surveying the property as well as for issuance of separate patta and on such applications, the respondents shall consider the same, if it is, otherwise in order and carry out a survey, demarcate the subject property and also consider the request for issuance of separate patta after verifying the title deeds and complete the process within a period of twelve (12) weeks from the date of receipt of a copy of this order after giving prior notice to the petitioner, adjacent land owners and other interested parties including rival claimants if any. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.



WEB COPY

7. With the above direction, the Writ Petition stands disposed of. No costs.

**10.06.2025**

msr

Index:yes/no

Internet:yes

To

1. The District Collector,  
Salem, Salem District.
2. The Sub Collector,  
Mettur Taluk, Salem District.
3. The Tahsildar,  
Omalur Taluk, Salem District.



WEB COPY

**MOHAMMED SHAFFIQ, J.**

msr

**WP NO. 19676 of 2025**

**10-06-2025**