

W.P. No.19977 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.19977 of 2025

S.S.Muthusamy

... Petitioner(s)

Vs.

1. The Tahsildar,
Modakkurichi Taluk Office,
Erode District 638 104.

2. The Taluk Land Surveyor,
Land Survey Department,
Modakkurichi Taluk Office,
Erode District 638 104.

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to pass appropriate orders on the Online Application submitted by the petitioner for sub division patta transfer vide Can No.133101332087157 and Application No.2025 /0105/10/372674 dated 29.05.2025 and to conduct comprehensive field survey measurement work with the aid and assistance of 2nd respondent in respect of the properties comprised in Survey No.1269/6B, 1270/2, 1270/3, 1270/4, 1270/5, 1270/9, 1270/10, 1270/11 situated at Dhuyyam Poondhurai 'C' Village, Modakkurichi Taluk, Erode District, so as to enable the petitioner in fixing the boundary line demarcation after considering the representation of the petitioner dated 13.01.2025.



WEB COPY



W.P. No.19977 of 2025

For Petitioner(s) : Mr.N.S.Suganthan

For Respondent(s) : Mr.A.Selvendran
Special Government Pleader

ORDER

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

2. The present writ petition is filed praying for a mandamus, directing the 1st respondent to pass appropriate orders on the Online Application submitted by the petitioner for sub division patta transfer vide Can No.133101332087157 and Application No.2025/0105/10/372674 dated 29.05.2025 and to conduct comprehensive field survey measurement in respect of the properties comprised in Survey No.1269/6B, 1270/2, 1270/3, 1270/4, 1270/5, 1270/9, 1270/10, 1270/11 situated at Dhuyyam Poondhurai 'C' Village, Modakkurichi Taluk, Erode District.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the absolute owner of the properties being agricultural lands comprised in Survey No.1269/6B, 1270/2, 1270/3, 1270/4, 1270/9, 1270/10, 1270/11, situated at Dhuyyam Poondhurai 'C' Village, Modakkurichi Taluk,



W.P. No.19977 of 2025

Erode District. It is further submitted that that the said properties were allotted to the petitioner vide registered Partition Deed dated 04.11.2010.

3.1. It is submitted by the learned counsel for the petitioner that the petitioner intended to survey and measure the subject lands so as to demarcate and fix appropriate boundary line and to prevent trespass by any other third parties. Thus the petitioner had sent a representation to the 1st and 2nd respondents on 13.01.2025 to survey and measure petitioner's lands and the canal mentioned in the survey fields, however, the 1st and 2nd respondents did not conduct any survey. Hence, petitioner submitted an Online Application for Sub Division Patta Transfer vide Can No: 133101332087157 and Application No.2025/0105/10/372674 dated 29.05.2025 and paid the requisite fees on 29.05.2025 to the 1st respondent requesting for survey and boundary measurement of petitioner's lands. However, no action has been taken by the respondents to survey the petitioner's lands till date. Aggrieved by the same the present writ petition has been filed before this Court.

4. At the outset, it is submitted by learned Special Government Pleader for respondents that they would consider the petitioner's representation dated 13.01.2025 and online application dated 29.05.2025 and complete the procession within a time frame to be fixed by this Court, which was agreed to by the learned



W.P. No.19977 of 2025

counsel for the petitioner.

WEB COPY

5. In view thereof, the writ petition stands disposed of with the direction to the respondents to consider the petitioner's representation dated 13.01.2025 and online application dated 29.05.2025 and complete the process within a period of 8 weeks from the date of receipt of a copy of this order, after putting the petitioner, adjacent land owners and interested parties including rival claimants, if any, on notice. 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 respondent to consider the matter on its own merits and in accordance with law. No costs.

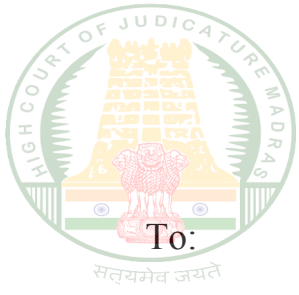
12.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

spp



W.P. No.19977 of 2025

To:

WEB COPY

1. The Tahsildar,
Modakkurichi Taluk Office,
Erode District 638 104.
2. The Taluk Land Surveyor,
Land Survey Department,
Modakkurichi Taluk Office,
Erode District 638 104.



WEB COPY



W.P. No.19977 of 2025

MOHAMMED SHAFFIQ, J.

spp

W.P. No.19977 of 2025

12.06.2025