



W.P.No.20046 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.20046 of 2025

S.Govindharasu

... Petitioner

Vs.

1. The District Collector,
Kallakuruchi District - 606 213.

2. The Revenue Divisional Officer,
Kallakuruchi District - 606 213.

3. The Tahsildar,
Chinna Salem,
Kallakuruchi District - 606 201

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the second respondent to cancel the sub-division of survey number made in S.F.No.150/2 of Thagam Theerthapuram Village, Salem District as S.F.No.150/1A and S.F.No.150/2A and remove the revenue entry of Nilaviyal Pathai therein by considering the representation of the petitioner dated 23.04.2025.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.P.Sathish
Additional Government Pleader



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to dispose of the representation made by the petitioner on 23.04.2025 wherein the petitioner has sought for cancellation of sub division of survey number made in S.F.No.150/2 situated at Thagam Theerthapuram Village, Salem District as S.F.No.150/1A and S.F.No.150/2A and to remove the revenue entry of Nilaviyal Pathai in the subject property.

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

3. The specific case of the petitioner is that the petitioner's father acquired the property comprised in S.F.No.105 situated at Thagam Theerthapuram Village, Chinnasalem Taluk, Kallakurichi District. There was a partition between the petitioner and his brother whereby the petitioner had acquired the property comprised in 'A' Register in S.F.No.150/2, Patta



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No.200 in respect of 2.02 acres. It is stated that as per FMB sketch on the west side of petitioner's property in S.F.No.149/A and S.F.No.150/1A, there is a pathway existing and the same was also mentioned in 'A' Register. It is further stated that the third respondent has altered FMB sketch and 'A' Register creating pathway in S.F.No.150/2 which is owned by petitioner and further has subdivided S.F.No.150/2 as S.F.Nos.150/1A & 150/2A and created the pathway in S.F.No.150/2A, which is incorrect. Despite the representation having been made on 23.04.2025 to cancel the new FMB sketch, 'A' Register and other revenue records in respect of the land comprised in S.F.No.150/2, there was no response from the respondents. It is under these circumstances, the present writ petition has been filed.

4. At the outset, it was submitted by learned Additional Government Pleader for respondents that the representation dated 23.04.2025, made by petitioner would be considered and appropriate orders would be passed within a time frame to be fixed by this Court, which was agreed to by learned counsel for petitioner.



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5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent, to consider the representation dated 23.04.2025 on its own merits and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after affording reasonable opportunity of hearing to the petitioner and any other interested persons. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the second respondent to consider the representation on its own merits and in accordance with law.

6. Accordingly, the Writ Petition stands disposed of. No costs.

12.06.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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