



W.P. No.20950 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.20950 of 2025

M.S.Mani

... Petitioner(s)

Vs.

1. The Tahsildar,
Kankeyam Taluk,
Tiruppur District.
2. The Head Surveyor,
O/o. Tahsildar Office,
Kankeyam Taluk,
Tiruppur District.
3. The Firka Surveyor for Kuttapalayam Village,
O/o. Tahsildar Office,
Kankeyam Taluk,
Tiruppur District.

4. V.Mohan Kumar

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the online application of the petitioner dated 06.05.2024, 16.07.2024 and 03.10.2024 in Application Nos.2024/0105/32/352656, 2024/0105/32/365566 and 2024/0105/32/379236 and survey the petitioners land in S. No.



W.P. No.20950 of 2025

7/3A1A1 to the total extent of 23649 ½ Sq.Ft (54 cents) situated at Kuttapalayam Village, Kankeyam Taluk, Tiruppur District and issue separate patta in favour of the petitioner.

For Petitioner(s) : Mr.V.Elangovan

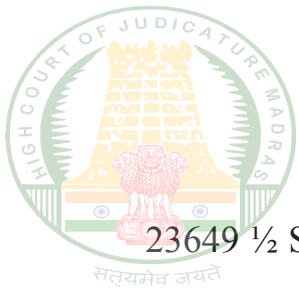
For R1 to R3 : Mr.S.J.Mohammed Sathik,
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the 4th respondent is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, to direct respondents 1 to 3 to consider the online applications of the petitioner dated 06.05.2024, 16.07.2024 and 03.10.2024 and survey the petitioner's land in Survey No. 7/3A1A1, admeasuring to a total extent of 23649 ½ Sq.Ft (54 cents) situated at Kuttapalayam Village, Kankeyam Taluk, Tiruppur District and issue separate patta in favour of the petitioner.

3. It is submitted by the learned counsel for the petitioner that the petitioner purchased the subject land comprised in R.S.No.7/3, admeasuring



W.P. No.20950 of 2025

23649 ½ Sq. Ft (54 cents) from the 4th respondent by way of registered sale deed

dated 20.04.2007 in Doc.No.2003/2007, on the file of the Sub Registrar, Kankeyam. Thereafter, the above land was sub divided into Survey No.7/3A1A1 and the 1st respondent issued a joint patta in Patta.No.2195.

3.1. It is submitted by the learned counsel for the petitioner that the 4th respondent, who was the petitioner's vendor, is the owner of the adjacent lands and is constantly interfering with petitioner's peaceful possession of the property by holding out threats. Therefore, the petitioner made online applications dated 06.05.2024, 16.07.2024 and 03.10.2024 to the 1st respondent, along with necessary fee to survey the petitioner's property and to issue separate patta in petitioner's favour.

3.2. It is submitted by the learned counsel for the petitioner that based on petitioner's application, the official respondents herein issued a notice dated 18.12.2024, directing the petitioner to be present at the field with necessary documents on 27.12.2024 at 02:00 pm for surveying the subject land. However, no action was taken by the revenue respondents on the said date. Aggrieved by the same, the present writ petition is filed before this Court.

4. The learned Government Advocate appearing for respondents 1 to 3 would submit that they would consider the petitioner's applications dated



W.P. No.20950 of 2025

06.05.2024, 16.07.2024 and 03.10.2024 and appropriate orders would be passed,

within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, the writ petition stands disposed of with the direction to the respondents to consider petitioner's applications dated 06.05.2024, 16.07.2024 and 03.10.2024, conduct survey and complete the process within a period of 8 weeks from the date of receipt of a copy of this order, after giving prior notice and a reasonable opportunity of hearing to the petitioner, 4th respondent, 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.

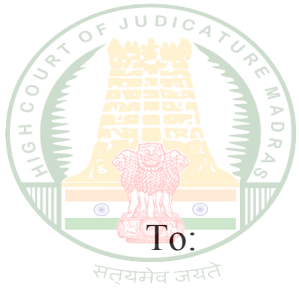
13.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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W.P. No.20950 of 2025

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W.P. No.20950 of 2025

MOHAMMED SHAFFIQ, J.

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W.P. No.20950 of 2025

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