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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP NO. 21815 of 2025

P. Dharmaraj

... Petitioner

Vs

1. The Thasildhar,
Office of Thasildhar,
Udumalpet, Thiruppur District.
2. The Surveyor,
Office of Thasildar, Udumalpet,
Thiruppur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents herein to survey the property comprised in SF.No.38/1C of Thumbalapatti Village, Udumalpet Taluk, Thiruppur District and to sub divide and issue separate patta based on the partition deed dated 16.04.2014 registered in Document No.2731 of 2014 on the file of Sub Registrar Office at Udumalpet within a reasonable time as fixed by this Court.

For Petitioner(s) : Mr.R. Nalliyappan

For Respondent(s) : Mr. P. Ganesan, Govt. Advocate



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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 for issuance of Writ of Mandamus directing the respondents herein to survey the property comprised in SF.No.38/1C of Thumbalapatti Village, Udumalpet Taluk, Thiruppur District and to sub divide and issue separate patta based on the partition deed dated 16.04.2014 registered as Document No.2731 of 2014 on the file of Sub Registrar Office at Udumalpet within a reasonable time as fixed by this Court.

3. It is submitted by the learned counsel for the petitioner that the property comprised in S.No.38/1C, situated at Thumbalapatti Village, Udumalpet Taluk, Thiruppur District, measuring an extent of 2.05 acres belonged to petitioner's father. Petitioner's father had purchased the subject property vide sale deed dated 23.08.1972. After the demise of the



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petitioner's father, petitioner and his brother Mylsamy partitioned the property by way of a partition deed dated 16.04.2014 and the same was registered as document No.2731/2014 on the file of the Sub Registrar Office, Udumalpet. Pursuant to the partition, joint patta has been issued in the name of the petitioner and his brother in patta No.43. The petitioner had taken out a representation dated 11.09.2024 for issuance of separate patta after surveying the property. It is submitted that the petitioner had also taken out an online application for survey of the subject property and also paid necessary charges therefor, but the respondents have not surveyed the property. Hence the petitioner made another representation on 09.06.2025 to the respondents requesting to survey and sub divide the property based on the partition deed. However the same has been kept pending. Therefore, left with no other alternative, the petitioner has filed the present writ petition.

4. At the outset, it was submitted by the learned Government Advocate for the respondents that the representation dated 09.06.2025, made by petitioner would be considered and appropriate orders would be passed within a time frame fixed by this Court, which was agreed to by the



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learned counsel for petitioner.

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 appropriate respondents to consider the representation dated 09.06.2025 for survey, subdivision and issuance of patta in respect of subject property on its own merits and pass appropriate orders in accordance with law, after putting the petitioner, petitioner's brother and any other interested persons, including rival claimants, if any on notice and after affording reasonable opportunity of hearing to them within a period of eight (8) weeks from the date of uploading of webcopy without waiting for receipt of certified copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

20.06.2025

Index:yes/no
Internet:yes/no
msr



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To

1. The Thasildhar,
Office of Thasildhar,
Udumalpet, Thiruppur District.
2. The Surveyor,
Office of Thasildar, Udumalpet,
Thiruppur District.



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MOHAMMED SHAFFIQ, J.

msr

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