

W.P. No.23232 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23232 of 2025

Dr.P.Subbaiyan

... Petitioner

Vs.

1. The District Revenue Officer,
State Revenue Department,
Ezhilagam, Chepauk,
Chennai 600 005.

2. The Revenue Divisional Officer,
Revenue Office, Kodumudi,
Erode District.

3. The Tahsildar,
Revenue Office, Erode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation dated 10.06.2025 for the following:-

1. To conduct survey in the land comprised in Old Sr.No.378/A1, New Sr.No.261/2 for the retrieval of missing 13 cents of the property.



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2. Issue a Patta in the name of Subbaiyan, the petitioner, by cancelling the old patta which is in the name of Subramanian.

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3. To conduct survey in the land comprised in New Sr.No.261/2 and issue Natham Patta in the name of Subbaiyan.

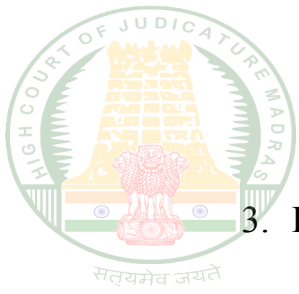
For Petitioner(s) : Mr.M.Aravind Subramanian
Senior Advocate for
Mr.Mohamed Sajid

For Respondents : 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 writ of mandamus, directing the respondents to consider the petitioner's representation dated 10.06.2025 and conduct survey of the land comprised in Old Survey No.378/A1, New Survey No.261/2 and to issue patta in the name of the petitioner.



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3. It is submitted by the learned counsel for the petitioner that the

petitioner purchased the property comprised in Old Survey No.378/A1, New Survey No.261/2, measuring an extent of 1.13 acres, situated at Kodumudi Village, Erode District, from one Krishnasamy through sale deeds dated 05.11.1982 and 26.11.1982 bearing Doc.Nos. 879/1982 and 943/1982. However, after resurvey, the Government records pertaining to New Survey No.261/2, shows only 1 acre i.e., 13 cents less compared to the land purchased by the petitioner. It is further submitted that patta has also been wrongly issued in the name of one Subramanian in respect of the property comprised in New Survey No.261/2.

3.1. It is submitted by the learned counsel for the petitioner that the petitioner submitted a representation dated 10.06.2025 before the respondents seeking survey of the petitioner's property and to cancel the patta issued in the name of Subramanian and to issue patta in the name of the petitioner. However, the respondents has not considered the representation till date. Aggrieved, by the same the present writ petition has been filed before this Court.



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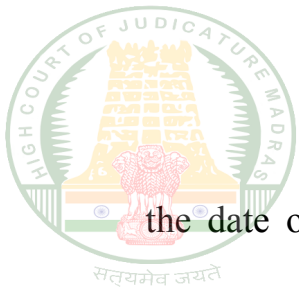
4. When this was pointed out, learned Special Government Pleader would

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submit that petitioner's representaiton dated 10.06.2025, seeking cancellation of patta in the name of Subramanian and to issue patta in the name of petitioner would be considered and appropriate orders would be passed. It is further submitted by the learned Special Government Pleader that insofar survey is concerned, petitioner may have to take out an online application. If any such application is taken out by the petitioner, survey would be carried out by 3rd respondent within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

6. In the circumstance, this Cout is inclined to pass the following directions:

i) The respondents are directed to consider the petitioner's representation dated 10.06.2025, seeking cancellation of patta in the name of Subramanian and to issue patta in the name of petitioner and pass appropriate orders after issuing notice and affording a reasonable opportunity of hearing to the petitioner, Subramanian and any other interested parties, within a period of 8 weeks from



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ii) With regard to survey, it is open to the petitioner to take out an online application seeking survey of the petitioner's property. If any such application is made the 3rd respondent is directed to carry out survey and complete the process, after issuing notice to the petitioner, adjacent land owners and any other interested parties including rival claimants if any within a period of 8 weeks from the date of such representation.

7. 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. Accordingly, the writ petition stands disposed of. No costs.

02.07.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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