



W.P.No.23514 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23514 of 2025

V.Sivarajan

... Petitioner

Vs.

1. The District Collector,
Palladam Road,
Tiruppur South Zone,
Tiruppur District.

2. The Sub-Collector,
Sub-Collector Office,
Tiruppur,
Tiruppur District.

3. The Tahsildar,
Taluk Office,
Avinashi Taluk,
Tiruppur District.

4. Suganthi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to speedily dispose of the Application No.7724419 of 2024 dated 12.02.2024 on the file of the respondents.



WEB COPY



W.P.No.23514 of 2025

For Petitioner : Mr.G.Krishna Kumar
for Mr.P.Thamizh Vendan

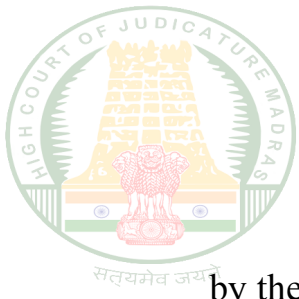
For Respondents : Mr.A.Selvendran
Spl. Govt. Pleader for R1 to R3

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the official respondents to dispose of the application made by petitioner on 24.04.2025 wherein petitioner had requested for survey and restoration of patta in his name.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed, notice to fourth respondent is dispensed with.

3. The case of the petitioner is that he is the absolute owner of the property comprised in Survey Nos.147/17 & 147/20 situated at Palagram Village, Avinashi, Tiruppur District. Originally, the property in Survey No.147, belonged to paternal grandfather of petitioner and presently owned

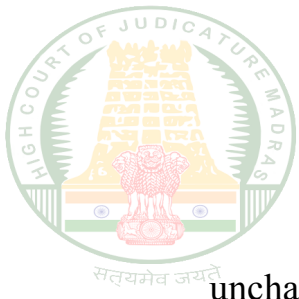


W.P.No.23514 of 2025

WEB COPY

by the petitioner. It is further submitted that one Suganthi obtained separate pattas subdividing Survey No.147/20 into Survey Nos.147/20A and 147/20B on the strength of fraudulent documents. Petitioner thus submitted an application before respondents on 12.02.2024, to restore the patta and survey the properties and mark boundaries as per the document submitted before official respondents on 12.02.2024 and to include the name of petitioner and his mother in the original patta. Pursuant to the same, enquiry was initiated on the application dated 12.02.2024 vide proceedings dated 10.05.2024 and surveyor was appointed to survey the properties and notice was given to the adjacent land owner, rival claimants in respect of Survey No.147/20 to participate in the survey. On 10.03.2025, survey was conducted by the surveyor, however, thereafter, the respondents did not proceed further. Hence, the present writ petition has been filed.

4. At the outset, it is submitted by learned Special Government Pleader for respondents that this is the second request made for survey and the earlier request for survey was rejected and the same remains



W.P.No.23514 of 2025

WEB COPY

unchallenged. However the petitioner had taken yet another application dated 12.02.2024 seeking for survey and issuance of patta. But he had not submitted any application for restoration and issuance of patta including the name of petitioner and his mother

5. Learned counsel for petitioner would submit that the survey has already been completed on 10.03.2025, however the report / order has not been communicated to him. In response, learned Special Government Pleader would submit that the report / order pursuant to the survey which was carried out on 10.03.2025 would be served on petitioner within a period time period to be fixed by this Court.

7. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the concerned respondent to serve the survey report/order dated 10.03.2025 to petitioner within a period of two weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is left open to



W.P.No.23514 of 2025

WEB COPY

the petitioner to submit a fresh application to the concerned respondent for restoration of patta and to include the name of petitioner and his mother, along with necessary documents and a copy of this order. On such receipt, the concerned respondent shall pass appropriate orders within a period of four weeks thereafter, after putting petitioner, Suganthi and any other interested parties / rival claimants, if any, on notice. 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 respondent to consider the case on its own merits and in accordance with law.

8. Accordingly, this Writ Petition is disposed of. No costs.

01.07.2025

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

vji



W.P.No.23514 of 2025

WEB COPY
To

1. The District Collector,
Palladam Road,
Tiruppur South Zone,
Tiruppur District.
2. The Sub-Collector,
Sub-Collector Office,
Tiruppur,
Tiruppur District.
3. The Tahsildar,
Taluk Office,
Avinashi Taluk,
Tiruppur District.



WEB COPY



W.P.No.23514 of 2025

MOHAMMED SHAFFIQ, J.

vji

W.P.No.23514 of 2025

01.07.2025