



W.P.No.26747 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.26747 of 2025

A.Gokulakrishnan : Petitioner

Vs.

1.The District Revenue Officer,
Coimbatore.

2.The Sub Collector,
Pollachi Revenue Division,
Coimbatore District.

3.The Tahsildar,
Kinathukadavu Taluk,
Coimbatore.

4.The Inspector Survey,
Survey Department,
O/o.Kinathukadavu Tahsildar,
Kinathukadavu,
Coimbatore District.

5.Sethuramalingam : Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the respondents 1 to 4 to issue separate patta by conducting survey and subdivision as per the partition deed dated 16.06.2021 in the light of the communication of the first respondent dated 11.09.2024 in Na.Ka.No.2320434/2024/E1 and pass orders.

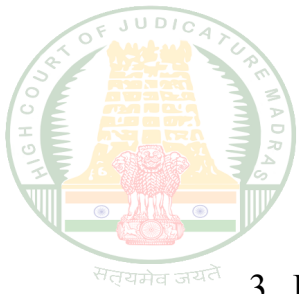
For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.P.Sathish,
Additional 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. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondent No.5 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the respondents 1 to 4 to issue separate patta by conducting survey and subdivision as per the partition deed dated 16.06.2021 in the light of the communication of the first respondent dated 11.09.2024 in Na.Ka.No.2320434/2024/E1.



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3. It is submitted by the learned counsel for the petitioner that petitioner submitted a representation dated 29.07.2024 before the first respondent seeking the aforesaid prayer in respect of the property comprised in S.No.321/10A measuring an extent of 7.28.00 hectare, situated at Kattampatti Village, Kinathukadavu Taluk, Coimbatore District. Based on the said representation, first respondent sent a communication vide letter dated 11.09.2024 to respondents 2 and 3 to conduct an enquiry and pass orders. However, no action has been taken on the said communication so far. Aggrieved by the same, the petitioner has filed the present writ petition.

4. At the outset, it is submitted by P.Sathish, learned Additional Government Pleader for respondents that they would consider the petitioner's request for issuance of separate patta by conducting survey and sub division in the light of the communication dated 11.09.2024 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 petitioner.



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5. In view of the limited relief that is prayed, this court is inclined to dispose of the writ petition with following directions:

i) As regards survey, the respondents 1 to 4 shall consider the petitioner's request for survey in the light of the communication dated 11.09.2024, in accordance with law, after issuing notice to the petitioner, fifth respondent, adjacent land owners and all other interested parties including rival claimants, if any.

ii) Though facts have been set out extensively in the affidavit, this court does not propose to deal with it while leaving it open to the respondents to call for any document/conduct enquiry to satisfy itself of the petitioner's entitlement for requesting survey of subject property.

iii) As regards patta, respondents 1 to 4 shall consider the petitioner's request for issuance of separate patta in the light of the communication dated 11.09.2024, after issuing notice, conducting enquiry and affording a reasonable opportunity of hearing to the petitioner, 5th respondent and all other interested parties including rival claimants, if any.

iv) Though facts have been set out in affidavit, in view of the limited relief that is sought to be granted, I do not propose to examine the same, lest it may



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influence the authority. The authority shall independently consider the facts and law set out in the communication and pass appropriate order in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act and Rules.

v) The entire process shall be completed within a period of twelve (12) weeks from the date of uploading of web copy without waiting for the receipt of certified copy.

vi) 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. Rights and contentions of the petitioner and all other interested parties are left open.

6. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

28.07.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn



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To
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MOHAMMED SHAFFIQ, J.

(mrn)

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