



W.P.No.30702 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.30702 of 2025

Sakthivel

... Petitioner

Vs.

1. The District Collector,
Salem,
Salem District.
2. The Revenue Divisional Officer,
Mettur, Salem,
Salem District.
3. The Thasildar,
Omalur, Salem,
Salem District.
4. The Head Surveyor,
Omalur,
Omalur Taluk,
Salem District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to conduct survey and measure the land and boundaries of the property admeasuring to an extent of 16 cents comprised in Survey No.126/2D, 19 ½ cents comprised in Survey No.126/2D, 6 cents comprised in Survey No.127/4B1, 5 cents comprised in Survey No.127/4B2, 3 ¾ cents comprised in Survey No.126/2A situated at Muthunaickenpatti Village, Omalur Taluk, Salem District and issue separate joint patta to the petitioner and his brother Krishnamoorthy by considering the Application No.2024/0123/08/005828 dated 25.10.2024.

For Petitioner : Mr.K.Prabhakaran

For Respondents : Mr.P.Ganesan
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.

2. This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to issue joint patta in the name of petitioner and his brother Krishnamoorthy by surveying the lands comprised in Survey



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No.126/2D measuring an extent of 16 cents, Survey No.126/2D measuring an extent of 19 ½ cents, Survey No.127/4B1 measuring an extent of 6 cents, Survey No.127/4B2 measuring an extent of 5 cents and Survey No.126/2A measuring an extent of 3 ¾ cents situated at Muthunaickenpatti Village, Omalur Taluk, Salem District by considering his application dated 25.10.2024.

3. At the outset, it is submitted by learned Government Advocate for respondents that petitioner has not taken out any online application for issuance of separate joint patta. If the petitioner takes out online application and pays the necessary fee, the same would be considered 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.

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



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i) As regards survey, the concerned respondent shall consider petitioner's application dated 25.10.2025 seeking survey of the subject property and pass orders in accordance with law, after issuing notice to the petitioner and his brother, adjacent land owners and all other interested parties including rival claimants, if any, within a period of eight weeks from the date of uploading of the web copy without waiting for the receipt of certified copy.

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 issuance of patta, it is open to petitioner to submit online application to concerned respondent and pay necessary fee for issuance of separate joint patta.



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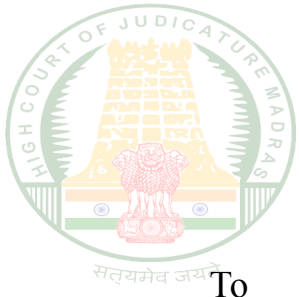
iv) It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of petitioner and all other interested parties are left open.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

25.08.2025

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

vji



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MOHAMMED SHAFFIQ, J.

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