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W.P.No.1325 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1325 of 2025

K.Saravanan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Krishnagiri District.

2. The Tahsildar,
O/o.The Tahsildar,
Bargur Taluk,
Krishnagiri District.

3. The Head Surveyor,
Bargur Taluk,
Krishnagiri District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st respondent to alter the measurements in survey map for the Survey No.400/1A1B and 400/3A1B as mentioned in Partition Deed in Document No.1956/2017 in office of the Sub-Registrar, Bargur by considering the petitioner's dated 07.08.2024.

For Petitioner : Mr.M.Vignesh

For R1&R2 : Mr.P.Sathish
Additional Government Pleader



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ORDER

The writ petition has been filed for the following relief:

(i) The petitioner's father Late.Kulla Chetty owned properties comprised in survey No.400/1 and 400/3 each with 1.000 hectare and 0.25.5 hectare in Bargur Taluk, Krishnagiri District and the patta also stands in his name in Patta No.1333. The said property was inherited by Kulla Chetty through a partition deed in Doc.No.943 of 1988.

(ii) Kulla Chetty sold 1.43 acre and 0.16 acre (totally 1.63 acres) of lands in survey Nos.400/1 and 400/3 to one B.L.Kesavan vide registered sale deed No.424/2000 on the file of the Sub-Registrar, Bargur.

(iii) In the year 2017, the said Kesavan made partition of the entire property in favour of his son B.K.Sivakumar vide partition deed No.1956 of 2017 on the file of the Sub-Registrar, Bargur. Patta was also issued vide patta Nos.8326 and 8327 in the name of Sivakumar for the property in survey No.400/1 (400/1A1A) by considering the partition deed No.1956/2017

(iii) Thereafter, in the year 2012, Kulla Chetty settled an extent of 0.18 ^{1/2} cents of land in Sy.No.400/1 (400/1A1A) in favour of his son, the petitioner herein.



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(iv) On 25.05.2024, the petitioner made an application No.2024/0123/31/002569 to measure the land and paid the requisite fees.

When the petitioner approached the respondents to get individual patta, he was informed by the respondents that the extent of land physically available is lesser than the one stated in the settlement deed No.2362 of 2012.

(v) The petitioner would submit that Survey Nos.400/1A1B and 400/3A1B also has the same patta nos.8326 and 8327 and the measurements in the survey map are mismatching.

(vi) Though the petitioner had made his representation to the first respondent on 07.08.2024, to alter the measurements in the survey map for Survey Nos.400/1A1B and 400/3A1B, the same has not yet been considered by the first respondent. Hence, the petitioner is before this Court.

2. Heard the learned counsels on either side.

3. Considering the very limited request that has been made by the petitioner for considering his representation, the Writ Petition is allowed and a mandamus is issued to the first respondent to consider the representation of the petitioner dated 07.08.2024 and pass orders after



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affording an opportunity to the petitioner to putforth his case in person.

The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

22.01.2025

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Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To :

1. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Krishnagiri District.
2. The Tahsildar,
O/o.The Tahsildar,
Bargur Taluk,
Krishnagiri District.
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