



W.P.(MD)No.9916 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9916 of 2025
and
W.M.P(MD)No.7385 of 2025

S.Alwin

... Petitioner

Vs.

- 1.The District Collector,
Collector's Office,
Tirunelveli,
Tirunelveli District.
- 2.The Tahsildar,
Taluk Office,
Thisaiyanvilai,
Tirunelveli District.
- 3.The Head Surveyor,
Office of the Head Surveyor,
Thisaiyanvilai,
Tirunelveli District.
- 4.Valarmathi
- 5.The Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.

... Respondents



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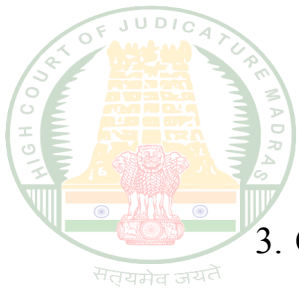
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 more particularly the 3rd respondent to take necessary measurements in the property bearing survey No.1003A1 situated at Viajayanarayanan Village, Part-III, Thisaiyanvilai, Radhapuram Taluk, Tirunelveli District and subsequently issue the necessary patta to the said property to him in pursuance of petitioner's representation and subsequent reminders on varies dates i.e. 07.08.2015, 27.01.2017, 11.06.2024 and 13.01.2025, forthwith.

For Petitioner : Mr.S.Palanivelayutham
For R1 – R3 : Mr.S.Lingadurai
Special Government Pleader
For R5 : Mr.S.Prakash
Government Advocate(Crl.Side)

ORDER

The petitioner having made online application for subdivision as well as issuance of patta vide application, dated 11.06.2024, has approached this Court with the above writ petition seeking issuance of writ of mandamus.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the official respondents.



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3. Considering the limited scope of the writ petition, this writ petition is taken up for final disposal with the consent of both the parties.

4. The petitioner seeks survey to be conducted, subdivision to be effected and patta to be issued in pursuant to his representation, dated 07.08.2015, followed up with further representations, dated 27.01.2017, 11.06.2024 and 13.01.2025.

5. The learned Special Government Pleader inviting my attention to the averments in the affidavit would submit that there appears to be title dispute with regard to the subject lands and the petitioner's application for survey cannot be entertained.

6. Considering the above, this writ petition is disposed of, directing the 2nd respondent to conduct an enquiry and if the 2nd respondent finds the petitioner is entitled to survey in respect of 77 cents comprised in Survey No. 1003A1, then the 2nd respondent shall proceed to dispose of the petitioner's survey application and consider further request for subdivision and patta. However, in the event of the patta issued to private parties in patta number.2704 overlapping with the extent of 77 cents in respect of which the petitioner seeks



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relief, then the 2nd respondent is entitled to relegate the petitioner to approach the competent Civil Court to redress his grievances. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

15.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The District Collector,
Collector's Office,
Tirunelveli,
Tirunelveli District.
- 2.The Tahsildar,
Taluk Office,
Thisaiyanvilai,
Tirunelveli District.
- 3.The Head Surveyor,
Office of the Head Surveyor,
Thisaiyanvilai, Tirunelveli District.

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P.B.BALAJI, J.

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