



W.P.(MD)No.14001 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.05.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.14001 of 2025

M.Subramanian

... Petitioner

Vs.

1.The District Revenue Officer,
Collectorate,
Sivagangai District,
Sivagangai Post & District.

2.The Thasildar,
Devakottai Taluk Office,
Devakottai Post & Taluk,
Sivagangai District.

3.The Taluk Head Surveyor,
Devakottai Taluk Office,
Devakottai Post & Taluk,
Sivagangai District.

4.The Town Surveyor,
Devakottai Municipal Office,
Devakottai Post & Taluk,
Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus directing the respondents to consider the petitioner's representation dated 27.01.2025 and to survey and demarcate the petitioner's property and issue separate patta by considering the registered



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settlement deed made in favour of the petitioner in Document No.2890/2020 Document No.864/2021, in respect of the land comprised in T.S.No.16, Block 11 Devakottai Town & Taluk, Sivagangai District within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.M.Saravanakumar
For Respondents : M/s.P.B.Ahamed Yasmin Parvin
Government Advocate

ORDER

The petitioner seeks issuance of writ of mandamus directing the respondents to consider the petitioner's representation dated 27.01.2025.

2.Heard Mr.M.Saravanakumar, leaned counsel for the petitioner and M/s.Ahamed Yasmin Pravin, learned Government Advocate for the respondents.

3. The learned counsel for the respondents would invite the attention of this Court to the joint patta standing in the name of two persons namely Periyasamy and Muthaiah. The petitioner is the son of Muthaiah, who is one of the co-pattathars. The petitioner has also made a specific averment in the affidavit that after the death of the father of the petitioner, his mother and brother settled their respective share in favour of the petitioner in Document Nos.2890/2020 and 864/2021. Therefore, the petitioner has to obtain no



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objection letter/affiddavit from the petitioner's father's brother Periyasamy or the legal heirs of the said Periasamy whichever is applicable. If the petitioner produces no objection from his father's brother Periyasamy or the legal heirs of the said Periyasamy, then, the respondents 2 and 3 shall proceed to dispose of the petitioner's survey application dated 27.01.2025 after giving notice to the adjoining land owners, who may be interested or affected by such survey application filed by the petitioner. Such exercise shall be done by the respondent subject to the petitioner producing no objection letter/affidavit as mentioned hereinabove within a period of four weeks from the date of receipt of a copy of this order. Survey shall be done within a period of eight weeks thereafter. In the event of the petitioner not producing no objection letter/affidavit from the said Periyasamy or from his legal heirs, the petitioner will have to file a suit for partition and to get the properties separated from the the share of the said Periyasamy before the competent civil court and file a fresh application for survey. No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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P.B.BALAJI, J.

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