



W.P(MD)No.27191 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27191 of 2023

Murugesan

... Petitioner

Vs.

1.The Tahsildar,
Ponnamaravathy Taluk,
Pudukottai District.

2.The Taluk Surveyor,
Ponnamaravathy Taluk,
Pudukottai District.

3.Subramanian

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to make sub-division and issue separate patta in the name of the petitioner in respect of properties situated in UDR Survey no. 215/4 to an extent of 0.11.5 ares (total extent 0.23.0 ares), UDR Survey No. 265/31 to an extent of 0.03.75 ares (total extent 0.07.5 ares), UDR Survey No. 340/5 to an extent of 0.04.25 ares (total extent 0.08.5



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ares), UDR Survey No. 343/3 to an extent of 0.20.25 ares (total extent 0.40.5 ares) and UDR Survey No. 343/5 to an extent of 0.46.5 ares (total extent 0.93.0 ares) in comprising Joint Patta No. 1294, Nallur Village, Ponnamaravathy Taluk, Pudukottai District by considering the petitioner's applications dated 21.09.2023.

For Petitioner : Mr.T.Veerakumar
For Respondents : Mr.V.Nirmal Kumar
Government Advocate
for R.1 & R.2

ORDER

When the matter was taken up for hearing, the learned Government Advocate produced a copy of the memorandum whereby the petitioner's request had already been rejected.

2. It is seen that the patta stands jointly in the name of the petitioner's mother and the third respondent. Only in partition suit it can be decided who will own which portion. At this stage, the petitioner's request was rightly rejected. The petitioner has to move the authority for subdivision and issuance of separate patta only after the civil Court decides the issue.



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3. This writ petition stands dismissed. There shall be no order as to costs.

15.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Tahsildar,
Ponnamaravathy Taluk,
Pudukottai District.

2.The Taluk Surveyor,
Ponnamaravathy Taluk,
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G.R.SWAMINATHAN, J.

MGA

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