

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.8037 of 2015

Padavettaal

..Petitioner

Versus

1.The District Collector,
Collectorate
Tiruvannamalai
Tiruvannamalai District.

2. The Tahsildar,
Thandarampattu Taluk,
Thandarampattu,
Tiruvannamalai District.

3. Sekar
4. Iyyasamy
5. Ramesh
6. Girija
7. Vanaja
8. Sankar
9. Ganesh
10. Kalaivani

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the 2nd respondent to consider the petitioner's representation dated:17.12.2014 and pass necessary orders for effecting sub division and issue separate patta to the petitioner with respect to the lands measuring 99 cents in S.Nos.14/2A, 96 cents in S.No.77/2A, 14 cents in S.No.77/3, a portion of the house with well rights in S.No.77/1D1, tree rights in S.Nos.77/3 and 79/2, Olakalapadi Village, (Nalalpallam), Thandrampattu Taluk, Tiruvannamalai District, as per the final decree dated:15.04.2008 passed in O.S.No.230 of 2006 on the file of the District Munsif cum Judicial Magistrate Court, Chengam.

For Petitioner : Mr.P.Mani
For Respondents 1&2 : Mrs.P.Rajalakshmi
Government Advocate

ORDER

Heard Mr.P.Mani, learned counsel for the petitioner; Mrs.

P.Rajalakshmi, learned Government Advocate accepting notice for the respondents 1 to 2 and with their consent, the writ petition is disposed of at the admission stage itself.

2.Since the writ petition is disposed of without notice to the respondents 3 to 10, notice to the respondents 3 to 10 is dispensed with and the merits of the allegations made by the petitioner as against them are not gone into and it is left open to the respondents 1 and 2 to take note of the same.

3.The petitioner has filed this writ petition seeking direction to the 2nd respondent to effect sub-division of the property in question an issue separate patta in the name of the petitioner as per the final decree dated 15.04.2008 passed in OS.No.230/2006 on the file of the District Munsif cum Judicial Magistrate Court, Chengam.

4.It is seen that the petitioner's request for grant of patta has been forwarded by the 1st respondent to the 2nd respondent vide Memo dated 08.01.2015 and to proceed in accordance with law. A copy of the Memo dated 08.01.2015 has been communicated to the petitioner. Thus, it is seen that the matter is now pending before the 2nd respondent.

5.In the light of the above, there will be a direction to the 2nd respondent to consider the petitioner's application/representation dated 17.12.2014 for grant of patta, after issuing notice to the petitioner as well as to the respondents 3 to 10 and after hearing the parties in person, conduct an enquiry in to the matter and pass a reasoned order on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the contentions raised by the petitioner and it is for the 2nd respondent to take note of the same and proceed in accordance with law.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The District Collector,
Collectorate
Tiruvannamalai
Tiruvannamalai District.

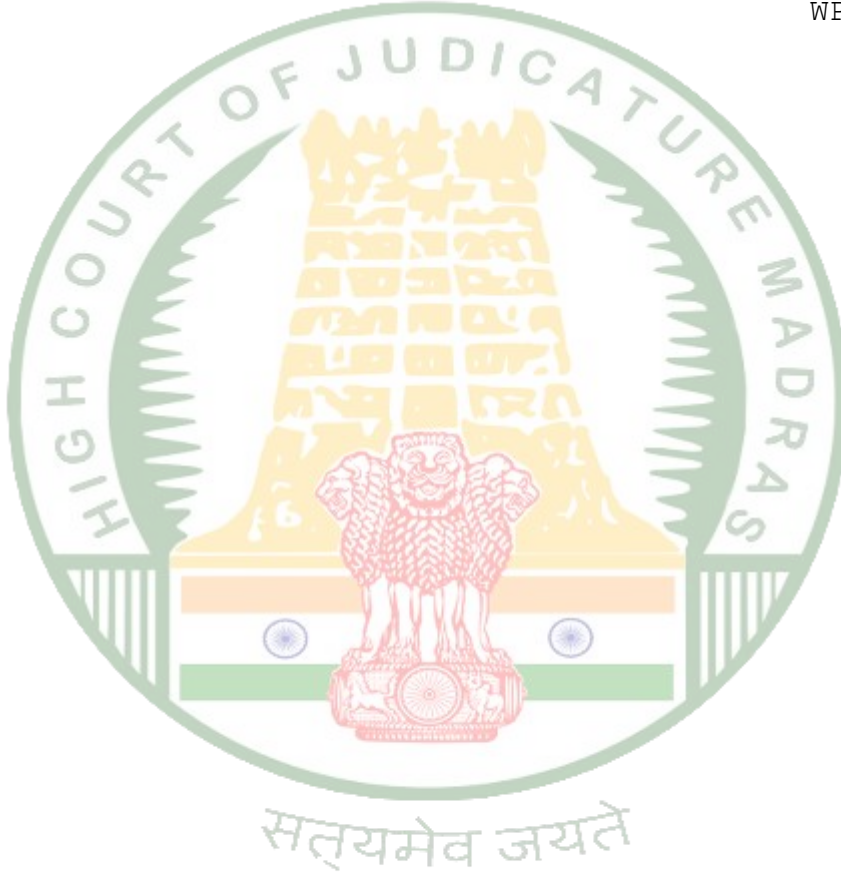
2. The Tahsildar,
Thandarampattu Taluk,
Thandarampattu,
Tiruvannamalai District.

+1 cc to Mr.P.Mani, Advocate, SR.16123.

+1 cc to Government Pleader,SR.16332.

rj(co)
krd 30/3

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