



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.19365 of 2015

Azhagar

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District.

2. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the second respondent to sub divide the land comprised in S.No.551/6A of Ma.Sundaranenthal, Kamuthakkudi Group, Paramakudi Taluk, Ramanathapuram District and to issue patta to the petitioner within a stipulated time that may be fixed by this Honourable Court by considering his representation, dated 28.09.2015.

For petitioner : Mr.R.Rajamohan

For Respondents : Mr.M.Murugan
Govt. Advocate

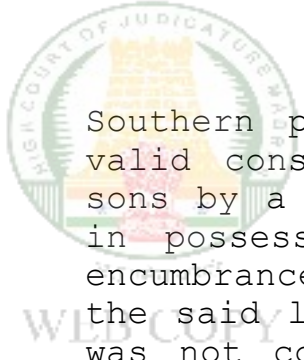
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the second respondent to sub divide the land comprised in S.No.551/6A of Ma.Sundaranenthal, Kamuthakkudi Group, Paramakudi Taluk, Ramanathapuram District and to issue patta to the petitioner within a stipulated time that may be fixed by this Court by considering his representation, dated 28.09.2015.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. In the affidavit filed in support of the Writ Petition, it has been averred that the Nanja land comprised in S.No.551/6A of Ma.Sundaranenthal, Kamuthakkudi Group, Paramakudi Taluk, Ramanathapuram District, measuring about 1.25 cents originally belongs to one Poochi and his family members. The petitioner had purchased to an extent of 60 cents out of 1.25 cents on the



Southern portion of the said land comprised in S.No.551/6A for valid consideration on 13.02.2001 from the said Poochi and his sons by a registered Sale Deed No.201 of 2001. The petitioner is in possession and enjoyment of the said property without any encumbrance for the past 14 years by paying all necessary Kist to the said land. The petitioner applied patta for his land, but it was not considered by the respondents till date. On 28.09.2015, the petitioner has applied to the second respondent to sub divide the S.No.551/6A of Ma.Sundaranenthal, Kamuthakkudi Group, Paramakudi Taluk, Ramanathapuram District and issue patta for 60 cents by paying the necessary fee. But till date, the same was not considered. Since the same was not disposed of till date, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the second respondent to consider the representation of the petitioner dated 28.09.2015 and pass appropriate orders on the same on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties with regard to sub divide the land comprised in S.No.551/6A of Ma.Sundaranenthal, Kamuthakkudi Group, Paramakudi Taluk, Ramanathapuram District, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District.

2. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

+ 1 CC TO MR.R.RAJAMOHAN, ADVOCATE IN SR NO. 62926

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 63179