

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27701 of 2016

- 1.Povunamma
- 2.Samanthi
- 3.Parvathi

... Petitioners

Vs.

1. The Tahsildar
O/o.The Tahsildar Office
Tirupattur, Vellore District.
2. The Village Administrative Officer
Periya Kannalapatty Revenue Village
Tirupattur Taluk, Vellore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to sub divide the property and issue separate patta based on petitioner's representation dated 27.01.2016 as per the Judgment and decree passed by the District Munsif Court, Tirupattur, Vellore District in OS.No.485/1997 property situated at Vellore District, Tirupattur Taluk, Errampatti Village.

For Petitioners : Mr.I.Paul Noble Deva Kumar

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioners would state that they filed a suit in OS.No.485/1997 on the file of the Court of District Munsif, Tirupathur, against Thiru Annamalai, Minor Chinnaperumal, Minor Chinnathambi and Minor Chinnapappa, praying for partition of six items of property and separate possession of one half share and other consequential relief and a preliminary decree came to be passed on 27.04.2015.

Thereafter, the petitioners took out an application for

passing final decree and it was also passed and they filed an execution petition in EP.No.141/2015 for delivery of the possession of the property and it was also ordered and claim to have taken possession through Court also. The petitioners, after getting into possession, submitted an application on 27.01.2016 to the respondents 1 and 2, for issuance of separate patta and though it was received and acknowledged, no response is forthcoming and hence, the petitioners came forward to file the present writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioners' representation dated 27.01.2016, on merits and in accordance with law, after putting on notice, the person/s concerned and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to the person/s concerned.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Tahsildar
O/o.The Tahsildar Office
Tirupattur, Vellore District.
2. The Village Administrative Officer
Periya Kannalapatty Revenue Village
Tirupattur Taluk, Vellore District.

+1cc to Mr.I.Paul Noble Deva Kumar, Advocate, S.R.No.45277
+1cc to the Government Pleader, S.R.No.45606

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VD(CO)

CA(23/08/2016)

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