

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.31265 of 2016

Periyammal

... Petitioner

Versus

The Tahsildar,
Ulundurpet Taluk,
Ulundurpet,
Villupuram District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, to direct the respondent to make Sub Division by measuring the land in Survey No.28/23 to the extent of 0.58 cents situated at R.R.Kuppam Village, Ulundurpet Taluk, Villupuram District and issue separate patta in the name of the petitioner by considering the representation of the petitioner dated 06.08.2016.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.R.S.Selvam,
Government Advocate

ORDER

The present writ petition has been filed by the petitioner seeking a direction to the respondent to make Sub Division by measuring the land in Survey No.28/23 to the extent of 0.58 cents situated at R.R.Kuppam Village, Ulundurpet Taluk, Villupuram District and issue separate patta in her name by considering the representation dated 06.08.2016 given by her.

2. According to the petitioner, she purchased the property in Survey Nos.28/7, 28/23, 28/14, 28/3, 28/8, 28/21, 27/2, 28/14 and 19/12 situated in R.R.Kuppam Village, Ulundurpet Taluk in a Court Sale by Public Auction held on 14.09.2000 in execution of the decree passed in O.S.No.1261 of 1995 on the file of the Principal District Munsif, Ulundurpet and the same has been duly confirmed by the Court on 20.11.2000. Thereafter, the petitioner took possession of the entire property. When the petitioner applied for making Sub Division and Separate Pattas in her name for all the properties as early as on 26.09.2012 before the respondent, the respondent made Sub Division and issued separate patta to all the Survey numbers except the Survey No.28/23 to an extent of 0.58 cents. Hence, she made a representation to the respondent to make sub division in respect

of the land in Survey No.28/23. The respondent directed the petitioner to pay a sum of Rs.100/- towards charges to take measurement of the land. The petitioner also paid the said amount through demand draft. Despite the same, the respondent has not taken any action to make sub division in respect of the land in Survey No.28/23. In this regard, the petitioner made another representation dated 06.08.2016 to the respondent. However, there is no response from the respondent. Hence, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

4. Though the larger relief has been sought for, considering the pendency of the representation of the petitioner with regard to the relief sought for, the respondent is directed to consider the petitioner's representation dated 06.08.2016 and pass orders thereon, on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, the present writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The Tahsildar,
Ulundurpet Taluk,
Ulundurpet,
Villupuram District.

+1cc to M/s. C. Munusamy, Advocate, S.R.No.50925
+1cc to the Government Pleader, S.R.No.51293

MP(CO)
EU(02/11/2016)

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