

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.36968 of 2016

J.Chandrasekaran

.. Petitioner

Vs.

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai

2. The Tahsildar,
Chetpet Taluk,
Thiruvannamalai District

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue patta for the partitioned lands as per the registration partition deed dated 17.09.2003 registered as document no.1167 of 2003 and in accordance with the sub-divisions already made under order no.8A/99/1425 dated 27.01.2016 and Ref.PTR No.14/016 within a time frame.

For Petitioner : Mr.N.Ramesh

For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents to issue patta for the partitioned lands as per the registration partition deed dated 17.09.2003 registered as document no.1167 of 2003 and in accordance with the sub-divisions already made under order no.8A/99/1425 dated 27.01.2016 and Ref.PTR No.14/016 within a time frame.

3. According to the petitioner, he is the owner of the property having obtained under a deed of partition dated 17.09.2003 entered into between him and his brother Ranganathan and the same was registered as document no.1167 of 2003.

Thereafter, patta has been issued to some of the properties from his share. The petitioner has submitted an application during November 2015 to the 2nd respondent herein for sub-division of lands and for issuance of separate patta in his name in respect of the remaining lands on payment of necessary charges. Subsequently, sub-division of the property was made vide order dated 27.01.2016 and issuance of patta has been rejected, hence the present Writ Petition has been filed seeking the present prayer as stated supra.

4. Mr.R.A.S.Senthilvel, learned Additional Government Pleader takes notice for the respondents and would submit that the request of the petitioner will be considered in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents, to consider the request of the petitioner and pass appropriate orders, on merits and in accordance with law as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of the order, in the sub-division, which was already done. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.
B.RAJENDRAN, J.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai

2. The Tahsildar,
Chetpet Taluk,
Thiruvannamalai District

+1 cc to Mr.N.Ramesh,advocate,sr.59756

+1 cc to Government Pleader,sr.60585

msm(co)
krd 14/11

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