

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36998/2016

C.Jothikumar

.. Petitioner

Vs.

1.The District Collector
Tirupur.

2.The Revenue Divisional Officer
Tirupur, Tirupur District.

3.The Divisional Officer
Palladam Division, Palladam
Tirupur District.

.. Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 3rd respondent herein to dispose of the petitioner's application FL No.318 of 2015 dated 05.08.2015 within time frame to be fixed by this Court, for sub division of the petitioner's land.

For Petitioner : Mr.M.Easan

For R1 to R3 : Mr.A.N.Thambi Durai, Spl.GP

ORDER

Heard the learned counsel for the petitioner ; and Mr.A.N.Thambi Durai, learned Special Government Pleader accepting notice on behalf of the respondents and with the consent on either side, the writ petitions are taken up for final disposal.

2 The petitioner would state that he purchased the agricultural lands admeasuring to an total extent of 7.70 acres, comprised in S.F.Nos.381/2 and 335/2 respectively, situate at V.Kallipalayam village, Palladam Taluk, Tirupur District, from one R.Mohankumaravel, vide a registered Sale Deed bearing Doc.No.13913/2013 dated 28.10.2013 and he has also been issued with joint pattas in respect of the said lands bearing Nos.471 [SF No.381/2] and 639 [SF.No.335/2] and he is in continuous possession and enjoyment of the same. When the petitioner applied for bank loans for agricultural purposes, he was asked to furnish patta standing in his name and not the joint patta. Hence, the petitioner submitted a representation on 05.08.2015 to the 3rd respondent seeking sub-division of his lands and for issuance of individual patta and the same was received and numbered as FL No.318/2015. Since no effective steps have been taken by the 3rd respondent, the petitioner personally visited

the office of the 3rd respondent and that the Taluk Surveyor has vide his notice dated 26.08.2015, informed that he has fixed the date for surveying on 31.08.2015. But, no survey was done on that date. Further, after repeated reminders, once again the date of survey was fixed on 01.07.2016 ; but the efforts of the petitioner proved futile. Hence, the petitioner, having no other alternative remedy, has approached this Court by filing the present writ petition.

3 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in his representation, directs the 3rd respondent to consider and dispose of the petitioner's application in FL.No.318/2015 dated 05.08.2015 and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner.

4 The writ petition stands disposed of with the above direction. No costs.

24.10.2016

AP

B.RAJENDRAN, J.,

AP

To

- 1.The District Collector
Tirupur.
- 2.The Revenue Divisional Officer
Tirupur, Tirupur District.
- 3.The Divisional Officer
Palladam Division, Palladam
Tirupur District.

WP.No.36998/2016

24.10.2016