



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.17072 of 2016

M.V.Seetharaman

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The District Revenue Officer,
Madurai District.

3.The Revenue Divisional Officer,
Madurai.

4.The Thasildhar,
Madurai South Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to re-survey and re-subdivision of the land in S.No.426/1 in Avaniapuram, in Madurai South Taluk in Madurai District in accordance with the partition deed, dated 05.11.1959, by issuing notice to all the parties and accordingly direct the fourth respondent to issue new patta to the petitioner and his other co-owners, by disposing the petitioner's representation, dated 09.04.2015.

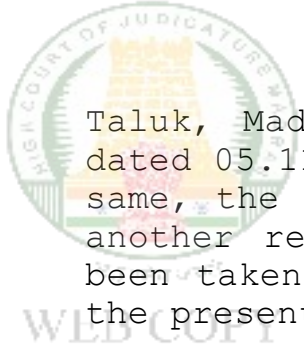
For Petitioner	: Mr.R.Suriyanarayanan
For Respondents	: Mr.K.P.Krishnadoss, Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. According to the petitioner, he filed an application before the third respondent on 07.07.2006 seeking sub-division of the land situated at S.No.426/1 in Avaniapuram, Madurai South



Taluk, Madurai District, in accordance with the partition deed, dated 05.11.1959 and he also paid the necessary fees. Despite the same, the third respondent did not take any steps. Hence, he made another representation on 09.04.2015. Even then, no steps have been taken by the third respondent, till date. Hence, he filed the present Writ Petition.

4. The learned Government Advocate submits that so far as sub-division of property is concerned, the Tahsildar is the competent authority, but the petitioner did not make any representation before the Tahsildar.

5. In the above circumstances, the petitioner is directed to make a suitable application seeking sub-division of the land in question, before the fourth respondent/Tahsildar, Madurai South Taluk, Madurai District, by paying necessary fees, within a period of two weeks from the date of receipt of a copy of this order. Soon after the receipt of such application, the fourth respondent is directed to conduct enquiry and after issuing notice to all the parties concerned, pass suitable orders, on merits and in accordance with law, within a period of twelve weeks thereafter.

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

Sd/
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Madurai District.
- 2.The District Revenue Officer,
Madurai District.
- 3.The Revenue Divisional Officer,
Madurai.
- 4.The Thasildhar,
Madurai South Taluk,
Madurai District.

+2 cc to MR.R.SURIYANARAYANAN, Advocate SR.No.51588, 51215
+1 cc to Government Pleader Sr.No.51619

W.P(MD)No.17072 of 2016
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