



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2016

C O R A M

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.18041 of 2016

1. J.Vasudevan
2. J.Asai

.. Petitioners

Vs

The Thasildar,
Usilampatti Taluk,
Usilampatti, Madurai District.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to consider his application with regard to issuance of separate Pattas in his favour so also in favour of the second petitioner in respect of their landed properties comprised in Survey Nos.55/2B, 55/5A2B, 55/5B, 55/7, 55/1, 54, 55/5A1, 55/6 and 55/3B situated at Kovilangulam Village, Usilampatti Taluk, Madurai District as per their family arrangement deed dated 28.12.2011 on the basis of the petitioner's representations dated 01.07.2016 and 13.08.2016 and for other reliefs.

For Petitioners : M/s.J.Lawrance
For Respondent : Mr.N.S.Karthikeyan
Additional government Pleader

O R D E R

This Writ Petition has been filed seeking a direction to the respondent herein to consider their application with regard to issuance of separate Pattas in his favour and also in favour of the second petitioner in respect of their landed properties comprised in Survey Nos.55/2B, 55/5A2B, 55/5B, 55/7, 55/1, 54, 55/5A1, 55/6 and 55/3B situated at Kovilangulam Village, Usilampatti Taluk, Madurai District as per their family arrangement deed dated 28.12.2011 on the basis of the petitioner's representations dated 01.07.2016 and 13.08.2016 and for other



2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the respondent.

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

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4. The petitioner filed an application to the respondent seeking a separate Patta based on the oral partition between the first petitioner and the second petitioner. Since, the first petitioner did not produce any evidence for partition, by a letter dated 06.04.2016, the respondent directed the petitioner to produce some evidence for partition between the first petitioner and the second petitioner. Subsequently, on 18.04.2016, the petitioner sent an another representation to the respondent stating that already both the first petitioner and the second petitioner has divided the property, by means of oral partition. Despite the same, the respondent did not pass any orders. In such circumstances, the petitioners filed the Writ petition.

5. Since the petitioner submitted that there was an oral partition, subsequently, reduced into writing, the petitioner is directed to produce all the relevant records to show the proof for partition between the first petitioner and the second petitioner and on production of such evidence, the respondent is directed to consider the same and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To
The Thasildar,
Usilampatti Taluk,
Usilampatti, Madurai District.

+1cc to M/s.J.Lawrance, Advocate SR.No.54588
+1cc to Special Government Pleader SR.No.54694

W.P. (MD) No.18041 of 2016

21.09.2016

pmu