

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.1054 of 2017

K.M.Liyakath Ali Khan

... Petitioner

vs.

1. The Collector,
Kancheepuram District.

2. The Tahsildar,
Sholinganallur,
Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to dispose of the petitioner's representations dated 14.06.2016 and 12.07.2016 seeking to sub-divide the petitioner's property.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.P.V.Selvakumar,
Additional Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the respondents to dispose of his representations dated 14.06.2016 and 12.07.2016 seeking to sub-divide his property.

2. According to the petitioner, he purchased the property measuring an extent of 1200 ½ sq. feet comprised in Survey No.9, Patta No.6708 and as per Patta Survey No.9/1a1a5, from U.Kanagavalli, on 19.06.2006. His predecessor in title purchased the same from M.Ravindranathan, who, in turn purchased the same from Munusamy Naidu, on 11.07.1983. The said Munusamy Naidu preferred a revision before the Commissioner of Land Reforms, Chepauk and the same was allowed on 30.05.1983, by which, he was exempted from assessment of Urban Land Tax. The subsequent purchaser M.Ravindranathan obtained Patta in his name in Survey No.9/1a1a5.

3. The case of the petitioner is that he applied for Patta to the 2nd respondent and received the same, but, till date, the same has not been sub-divided. Hence, the petitioner made a representation on 14.06.2015 to the 2nd respondent to subdivide Plot No.13-B and issue Patta. It is his grievance that though he had paid necessary fees for Patta Transfer on 14.06.2016, till date, the respondents have not initiated any action. He further contended that the 2nd respondent has issued patta with necessary sub-division to his adjacent land owner, viz. Neeladevi, W/o.Ravichandran in respect of Plot No.9/1a5 on 06.12.2013, whereas, he has not issued patta sub-division to his property.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case and without going into the merits of the case, this Court directs the respondents to consider the petitioner's representations dated 14.06.2016 and 12.07.2016 seeking sub-division of his property, on merits and in accordance with law, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected W.M.P.No.1017 of 2017 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Collector,
Kancheepuram District.
2. The Tahsildar,
Sholinganallur,
Kancheepuram District.

+1cc to Mr.Karunagaran, Advocate, S.R.No.3636
+1cc to the Government Pleader, S.R.No.3542

RSK(CO)
RS(08/02/2017)

W.P.No.1054 of 2017