

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.4837 of 2017

K.Velusamy

... Petitioner

vs.

1. The District Collector,
O/o.The District Collector,
Tirupur District,
Tirupur.

2. The Tahsildar,
O/o.Tahsildar Office,
Udumalaipettai Taluk,
Tirupur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 2nd respondent to sub-divide the property of the petitioner situated in S.F.Nos.20/1, 20/3A, 26/2, (Joint Patta No.277) Valayapalayam Village, Udumalaipettai Taluk, Tirupur District in favour of the petitioner by considering his application dated 02.11.2015.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.R.S.Selvam
Government Advocate

सत्यमेव जयते
O R D E R

The petitioner has filed this Writ Petition seeking a direction to the 2nd respondent to sub-divide his property situated in S.F.Nos.20/1, 20/3A, 26/2, (Joint Patta No.277) Valayapalayam Village, Udumalaipettai Taluk, Tirupur District in his favour by considering his application dated 02.11.2015.

2. According to the petitioner, he is the absolute owner of the lands comprised in S.F.Nos.20/1, 20/3A, 26/2, (Joint Patta No.277) Valayapalayam Village, Udumalaipettai Taluk, Tirupur District, which were settled in his favour by way of a Sale Deed dated 10.03.2005. Since the property in question has a joint patta favouring the petitioner and his brother, the

petitioner made an application to the 2nd respondent on 02.11.2015 seeking sub-division of the property in his favour. Since no orders are passed on his application so far, the petitioner is before this Court.

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

4. Considering the facts and circumstances of the case, this Court directs the 2nd respondent herein to consider the petitioner's application dated 02.11.2015 seeking sub-division of the subject property, on merits and in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To:

1. The District Collector,
O/o.The District Collector,
Tirupur District,
Tirupur.
2. The Tahsildar,
O/o.Tahsildar Office,
Udumalaipettai Taluk,
Tirupur District.

+1 CC to The Government Pleader, High Court, Madras sr 13043
+1 CC to Mr. D. Balachandran, Advocate sr 12230 (06/04/2017)

Order in
W.P.No.4837 of 2017

NMI (CO)
sp/10/3