

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18439 of 2017

Seena Gounder

.. Petitioner

vs.

1.The District Collector,
Villupuram.

2.The Tahsildar,
Sankarapuram,
Villupuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents more particularly 2nd respondent to consider the representation of the petitioner dated 20.02.2017 and take necessary action for sub-division and transfer of patta in the name of petitioner in respect of 9 cents (3924 sq.fts) of land in Old S.No.114/B1, New S.No.114/B1A and 114/B1B, situated in Vanapuram Village, Sankarapuram Sub Registry, Villupuram District.

For Petitioner : Mr.S.Sounthar

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader for R1

ORDER

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner, in the affidavit filed in the support of this writ petition, would aver among other things that 9 cents (3924 sq.ft) of land in Old S.No.114/B1, New S.No.114/B1A and 114/B1b situated in Vanapuram village, Sankarapuram Sub-Registry, Villupuram District, out of 1 acre and 10 cents belongs to him absolutely and he purchased the same through registered Sale Deed bearing Document No.4626 of 2013 dated 24.10.2013 on the file of the Sub-Registrar, Sankarapuram. The petitioner would further aver that patta for the above said property stands in the name of his predecessor in title, namely Dhayalan and the petitioner, after purchasing the said property, applied for transfer of patta in his name by submitting the application through on-line on 15.12.2016 and paid the prescribed fee and however, the respondents had failed to survey the land and effect sub-division and did not issue separate

patta and in this regard, he has also submitted a representation dated 20.02.2017 to the respondents by Registered Post Acknowledgment Due [RPAD] and it was received and acknowledged by the respondents 1 and 2 on 24.02.2017 and 22.02.2017 respectively.

3. Mr.S.Sounthar, learned counsel appearing for the petitioner would submit that inspite of receipt of the representation, the respondents 1 and 2 did not effect subdivision and transfer patta in his name and therefore, the petitioner has been constrained to approach this Court by filing this writ petition.

4. Heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. This Court, taking into consideration the limited scope of prayer and without going into the merits of the claim projected by the petitioner, directs the second respondent to consider the petitioner's on-line application dated 15.12.2016 as well as the petitioner's representation dated 20.02.2017 on merits and in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jvm

To

1.The District Collector, Villupuram.

2.The Tahsildar, Sankarapuram,
Villupuram District.

+1 cc to M/s.S.Sounthar Advocate sr 63620

+1 cc to the Government Pleader 63666

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