



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.15329 of 2017

S.Panchasaram

... Petitioner

-vs-

1. The District Collector,
District Collector Office,
Thanjavur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur District.
3. The Tahsildar,
Orathanadu Thashildar Office,
Orathanadu, Thanjavur District.
4. The Village Administrative Officer,
Mullurpattikadu Village,
Orathanadu Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd and 4th respondents to sub division and divided the petitioner patta property by metes and bounds as per the settlement deed in Deed No.463/1954 dated 19.03.1954 based on the petitioner application dated on 17.03.2017 in respect of the land comprised in S.No.23/9B1 (Old Survey No.23/8A) total an extension of 9 cents situated at Mullurpattikadu Village Orathanadu Taluk Pattukkottai Sub Registration Office Thanjavur District within a time frame limit and issue a separate patta in favour of the petitioner.

For Petitioner : Mr.S.Senthamil Selvan

For Respondents : Mr.G.Muthukannan
Govt. Advocate

O R D E R

This writ petition has been filed, seeking to direct the 3rd and 4th respondents to make subdivision by dividing the petitioner patta property by metes and bounds as per the settlement deed in Deed No.463/1954 dated 19.03.1954 based on the petitioner application dated 17.03.2017 in respect of the land



comprised in S.No.23/9B1 (Old Survey No.23/8A) to a total extent of 9 cents situated at Mullurpattikadu Village, Orathanadu Taluk, Pattukkottai Sub Registration Office, Thanjavur District and issue a separate patta in favour of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of the property in question and as such, he has submitted an application dated 17.03.2017, seeking for subdivision of his property and also for issuance of patta in his favour. Since the said application has not been considered so far, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent Nos.3 & 4 to consider the application/representation of the petitioner dated 17.03.2017 and pass suitable orders regarding subdivision and issuance of patta on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any of the interested parties.

5. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1. The District Collector, District Collector Office, Thanjavur District.
2. The Revenue Divisional Officer, Revenue Divisional Office, Thanjavur District.
3. The Tahsildar, Orathanadu Thashildar Office, Orathanadu, Thanjavur District.
4. The Village Administrative Officer, Mullurpattikadu Village, Orathanadu Taluk, Thanjavur District.

+One cc to The Special Government Pleader, SR.No.72918
ar