



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.21636 of 2017

T.Madasamy

... Petitioner

-vs-

1. The District Collector,
Office of the District Collector,
Korampallam, Tuticorin District.

2. The Tahsildar,
Ottapidaram Taluk Office,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to issue patta for the petitioner's property in his favour at Survey number 42/4 admeasuring 18 1/2 cents at Tharuvaikulam Village, Ottapitaram Taluk, Thoothukudi District by subdividing it by surveying it's metes and bounds on the basis of his Representation dated 06.11.2017.

For Petitioner : Mr.M.Sahul Hameed

For Respondents : Mr.M.Alagathevan,
Spl. Govt. Pleader

ORDER

This writ petition has been filed, seeking to direct the second respondent to issue patta in respect of the petitioner's property in his favour at S.No.42/4 ad-measuring 18½ cents at Tharuvaikulam Village, Ottapitaram Taluk, Thoothukudi District by subdividing it by surveying its metes and bounds on the basis of his representation dated 06.11.2017.

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



3. The learned counsel for the petitioner would submit that neither civil suit nor rival claim whatsoever is pending in respect of the property in question and since the property in survey No.42/4 was purchased by his family members and one third party, a joint patta was issued. Now, the petitioner, in order to get a separate patta, requested the respondent to sub-divide the property, by way of representation dated 06.11.2017 and also paid necessary charges. Since no action has been taken thereon, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

5. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 06.11.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Korampallam, Tuticorin District.

2. The Tahsildar,
Ottapidaram Taluk Office,
Tuticorin District.

+ 1 cc TO The Special Government Pleader in SR No. 89620

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AE/SKN RSK/SAR1/14.12.2017/2P/4C