



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.22574 of 2017

M.Palanivelu

.. Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai North Taluk, Madurai District.

3.The Tahsildar,
Madurai North Taluk, Madurai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to consider the petitioner application dated 29.08.2017 Application No.2017/0105/24/037362 for seeking subdivision of patta in property bearing Survey No.148/5B2, total extent of 1 acre 27 cents and to issue a fresh Patta to him in respect of the above mentioned properties Survey No.148/5A1 and Survey No 148/5B2 total extent of 2 Acres 26 cents situated in Pothumbu Bit 1 K Pothumbu Village, Madurai North Taluk, Madurai District and consequently to direct the third respondent to delete the wrong entry made in the joint patta No.298 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.M.Alagathevan,
Special Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the third respondent to make subdivision of patta in respect of the property, comprised in Survey No.148/5B2, Pothumbu Bit 1 K Pothumbu Village, Madurai North Taluk, Madurai District and issue a fresh patta to the petitioner and also direct the third respondent to delete the wrong entry made in joint patta No.298, based on his application, dated 29.08.2017, within the stipulated period as fixed by this Court.

2.Mr.M.Alagathevan, learned Special Government Pleader, takes
<https://hcservices.ecourts.gov.in/hcservices/> notice for the respondents.



3. By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4. Heard both sides.

5. The petitioner made an application, dated 29.08.2017, to the third respondent, seeking for sub-division, in respect of the property comprised in Survey No.148/5B2, Pothumbu Bit 1 K Pothumbu Village, Madurai North Taluk, Madurai District and for issuance of a fresh patta to the petitioner and also for deletion of the wrong entry made in respect of the said property in Joint Patta No.298.

6. The learned counsel for the petitioner would submit that it would be suffice, if the application of the petitioner, dated 29.08.2017, is directed to be disposed of by the third respondent, as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the third respondent to consider the application of the petitioner, dated 29.08.2017, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District.

2. The Revenue Divisional Officer,
Madurai North Taluk, Madurai District.

3. The Tahsildar,
Madurai North Taluk, Madurai District.

+1cc to M/s.M.S.JEYAKARTHICK Advocate in SR. No. 91782

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 91979

SMN

JS/GT/SAR.1/18.12.2017/2P-6C

ORDER MADE IN
W.P(MD)No.22574 of 2017
08.12.2017