



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.12.2017**

CORAM:

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

WEB COPY

**W.P (MD) No.13953 of 2013**

Chellapandi

... Petitioner

Vs.

1. The Tahsildar,  
Adnipatti Taluk,  
Theni District.

2.Mohammed Hussain

3.Rasu

4.Ayyavu

5.Sakkaraiyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent to consider the petitioner's representation dated 28.2.2013 and consequently direct the first respondent to sub-divide the property in survey No.133/1, 133/2 situated at Mayiladumbarai Village, Andipatti Taluk, Theni District and further direct him to issue separate patta in petitioner's name regarding the above said properties.

|                       |                                                   |
|-----------------------|---------------------------------------------------|
| For Petitioner        | : Mr.V.Sankaranarayanan                           |
| For Respondent -1     | : Mr.J.Gunaseelan Muthiah,<br>Government Advocate |
| For Respondents 2 - 5 | : No appearance                                   |

**ORDER**

This writ petition has been filed, seeking a Writ of Mandamus to direct the 1<sup>st</sup> respondent to consider the petitioner's representation dated 28.2.2013 and consequently direct the first respondent to sub-divide the property in survey Nos.133/1 and 133/2 situated at Mayiladumbarai Village, Andipatti Taluk, Theni District and to issue separate patta in petitioner's name.

2.Heard both sides.

3.By consent, the writ petition is taken up for final disposal at the stage of admission itself.



4. The learned counsel for the petitioner submitted that neither Civil Suit nor rival claim what soever is pending, in respect of the subject mentioned lands. According to the petitioner, since the representation of the petitioner, for subdividing and for issuance of a separate patta in respect of the aforesaid lands, is not considered by the first respondent, the petitioner is here before this Court, seeking appropriate directions to the first respondent.

5. It is seen that the petitioner submitted his representation, in the year 2013 and it is not known whether such a claim still subsists due to passage of time.

6. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 28.02.2013 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 six weeks from the date of receipt of a copy of this order, if already not passed any orders.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,  
Adnipatti Taluk,  
Theni District.

+1cc to Spl.Government Pleader Sr.No.93339

DSK

VB/KK/SAR3/08/01/2018/2P/3C

ORDER MADE IN  
**W.P(MD)No.13953 of 2013**  
15.12.2017