

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9078 of 2018

1.T.P.Jayachandran
2.K.Girija Kalingarayar
3.P.Radha Kumari
4.T.P.Senthilnathan
5.P.Kamalam
6.T.O.Ugamoorthi
7.T.O.Shanmuganathan ... Petitioners
(Sl.Nos.2 to 7 all represented through
Power Agent, 1st Petitioner, T.P.Jayachandran)

-vs-

The Tahsildar,
Annur Taluk,
Sakthi Road, Annur-641 653
Coimbatore District. ... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to make sub-division of the petitioner's properties situate in Survey Nos.57, 122, 124 and 125/2 of Ottarpalayam Village of Annur Taluk, Coimbatore District to a total extent of 6.27 ½ acres vide patta No.1748 and 1843 within the time limit as fixed by this Court.

For Petitioners : Mr.R.Baskaradoss
For Respondent : Ms.Ramya Revathy,
Government Advocate

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ORDER

This writ petition has been filed seeking a direction to the respondent to make sub-division of the petitioner's properties situate in Survey Nos.57, 122, 124 and 125/2 of Ottarpalayam Village of Annur Taluk, Coimbatore District to a total extent of 6.27 ½ acres vide patta No.1748 and 1843 within the time limit as fixed by this Court.

2.Learned counsel for the petitioners drawn the notice of this Court to the joint patta issued in the name of the petitioners. He would submit that as the petitioners intended to make settlement and partition among them, they require sub-division of the property and therefore they made representation to the respondent to make sub-division of the property in accordance with title, possession and enjoyment on 28.02.2018. Finding no response, they are before this Court.

3.But this Court is unable to appreciate the request of the petitioners. If at all the petitioners intend to sub divide their property, the joint pattadars namely the petitioners should have gone for partition of the same. Without there being any partition among the petitioners allotting shares to the individual pattadars, they cannot come to this Court. This Court is unable to entertain this petition and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vga

To

The Tahsildar,
Annur Taluk,
Sakthi Road, Annur-641 653
Coimbatore District.

+lcc to Mr.R.Baskaradoss, Advocate, S.R.No.28273

+lcc to the Government Pleader, S.R.No.28450

सत्यमेव जयते

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SKS (CO)

CS/10/05/18

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