



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2018

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**

WP (MD) No.4816 of 2018

1.K.Karnan  
2.Kannan  
3.K.Kalaiarasan

... Petitioner

**Vs.**

1. The Tahsildar,  
Madurai West (16) Taluk,  
Madurai (24) District.

2. The Pirka Surveyor,  
Nagamalaipudukottai,  
Madurai West Taluk,  
Madurai District.

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the first respondent to consider and pass orders on the application of the petitioners' dated 09/10/2017 within a time frame as fixed by this Court.

|                 |                                                            |
|-----------------|------------------------------------------------------------|
| For Petitioners | : Mr.N.Satheesh Kumar                                      |
| For Respondents | : Mr.Aayiram K.Selvakumar<br>Additional Government Pleader |

**ORDER**

This writ petition has been filed seeking direction to the first respondent to effect sub division in Survey No.86/1D1A, situated at Vilachery Village, West Taluk, Madurai District, based on the petitioners' application dated 09.10.2017.

2.According to the petitioners, their father viz., R.K.Kumar has inherited his ancestral property, measuring to an extent of 1 acre 28 cents in Survey No.86/1D1A, situated at Vilachery Village, West Taluk, Madurai District. Out of which, the petitioners' father, on 18.07.2012, has executed a settlement deed in favour of the petitioners in respect of 43 cents. Based on the above settlement deed, the petitioners become the owner of the property and they have filed an application before the first respondent to make sub division of the said property. Subsequently, the second respondent, Pirka Surveyor, Nagamalaipudukottai has sent a recommendation to the first respondent to sub divide the property in question. But, so far, no order has been passed. Hence, this writ



petition has been filed.

3. Considering the fact that the second respondent has already sent a recommendation and the same is pending with the first respondent, the first respondent is directed to consider the petitioners' application dated 09.10.2017 and pass suitable orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

**To**

1. The Tahsildar,  
Madurai West (16) Taluk,  
Madurai (24) District.

2. The Pirka Surveyor,  
Nagamalaipudukottai, Madurai West Taluk,  
Madurai District.

+ 1 CC TO Mr.N.SATHEESH KUMAR, ADVOCATE IN SR No. 53770

MJ

TE/SKN-RSK/SAR-1 : 26/03/2018 : 2P/4C

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