



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.13027 of 2018

A.Velavan

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

3.The Head Surveyor,
Vadipatti TalukOffice,
Vadipatti,
Madurai District.

.. Respondents

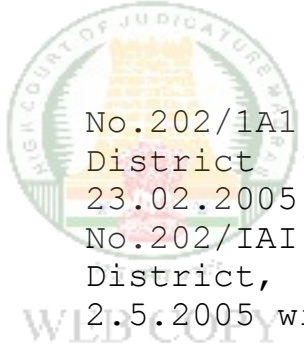
PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 2 & 3 to consider the representation of the petitioner dated 14.03.2018 and 15.05.2018 and sub-divide and issue patta in favour of the petitioner for the housing plots in an extent of 1853 Sq. ft comprised in Survey No.202/IAI situated at Thandalai Village, Vadipatti Taluk, Madurai District vide sale deed bearing Document No.315/2005 dated 23.02.2005 and for an extent of 1962 sq. ft. comprised in Survey No.202/IAI situated at Thandalai Village, Vadipatti Taluk, Madurai District, vide sale deed bearing Document No.844/2005 dated 2.5.2005 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.C.Guhaseelarupan

For Respondents : Mr.J.Gunaseelan Muthaiah
Additional Government Pleader

O R D E R

This writ petition is filed for the issuance of a Writ of Mandamus directing the respondents 2 & 3 to consider the representation of the petitioner dated 14.03.2018 and 15.05.2018 and sub-divide and issue patta in favour of the petitioner for the housing plots in an extent of 1853 Sq. ft comprised in Survey



No.202/1A1 situated at Thandalai Village, Vadipatti Taluk, Madurai District, vide sale deed bearing Document No.315/2005 dated 23.02.2005 and for an extent of 1962 sq. ft. comprised in Survey No.202/IAI situated at Thandalai Village, Vadipatti Taluk, Madurai District, vide sale deed bearing Document No.844/2005 dated 2.5.2005 within a time frame that may be stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

3. The petitioner has purchased two plots in respect of Survey No.202/IAI in Tendalai Village, Vadipatti Taluk, Madurai District. He made a representation to the respondents to subdivide and issue patta in respect of the housing plots. The petitioner seeks a direction to the respondent to consider his representation dated 14.03.2018 and 15.03.2018 for the said purpose.

4. On the other hand, controverting to the submission made by the petitioner, the learned Additional Government Pleader would submit that not only the petitioner so many other persons have also purchased housing plots in the lay out. According to the sale deeds of all these persons, they are entitled to a larger extent of land, whereas on instructions the respondent has found that only lesser extent was available on ground. Therefore, it is very difficult to divide as per the sale deeds produced by the parties. What is available on ground is very lesser and therefore, the property cannot be subdivided as required by the petitioner.

5. Considering the facts and circumstances of the case, a direction is issued to the second and third respondents to conduct inspection after verifying the sale deeds of all these parties and to afford personal hearing to make their submissions and pass orders on the representations of the petitioner within a period of two months from the date of receipt of a copy of this order.

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

Sd/
Assistant Registrar (Cr1 side)

/True copy/

Sub Assistant Registrar

To

<https://hcservices.hcma.gov.in/services>
The District Collector, Madurai District,
Madurai.



2.The Tahsildar,Vadipatti Taluk,
Vadipatti,Madurai District.

3.The Head Surveyor,Vadipatti Taluk Office,
Vadipatti,Madurai District.

WEB COPY

+2cc to Mr.G.GUNASEELARUPAN, Advocate, SR.No. 68917

+1cc to M/s.Special Government Pleader,SR.No. 69137

W.P (MD) No.13027 of 2018

20.06.2018

CM

KK/PN/SAR-1/04.07.2018/3P-7C/