



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24340 of 2018

Santhappan

... Petitioner

Vs.

1.The Assistant of Land Administration and Land Tax,
Ezhilagam,
Chepauk,
Chennai - 5.

2.The Special Tahsildar,
Town Settlement,
Manapparai Taluk,
Trichy District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representations dated 25.09.2018 and 12.11.2018 to sub-divide the land in Survey No.7/65, measuring about 1.50 acres, situated at Sevallur Village, Manapparai Taluk, Trichy District and issue separate patta in respect of the properties in Survey Nos.7/64, 7/65, 4/2, 4/3 and 4/4, situated at Sevallur Village, Manapparai Taluk, Trichy District.

For Petitioner : Mr.T.Lenin Kumar

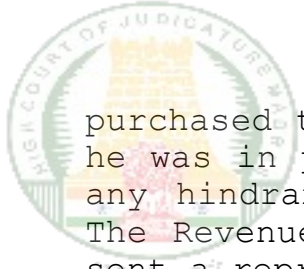
For Respondents : Mr.P.Kannithevan

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representations, dated 25.09.2018 and 12.11.2018, to sub-divide the land in Survey No.7/65, measuring about 1.50 acres, situated at Sevalur Village, Manapparai Taluk, Trichy District and issue separate patta in respect of the properties in Survey Nos.7/64, 7/65, 4/2, 4/3 and 4/4, situated at Sevalur Village, Manapparai Taluk, Trichy District.

2.The petitioner submits that the above said lands were purchased by his father. After the demise of his father, the said properties devolved upon the petitioner and his brother and sister. The petitioner is in absolute possession and enjoyment of the property without any hindrance. Though the petitioner's father



purchased the said property as early as in the year 1976 itself and he was in possession and enjoyment of the same continuously without any hindrance, the Patta was standing in the name of the Vendor. The Revenue Records have to be mutated. Hence, the petitioner has sent a representation to the second respondent on 22.05.2015 and the second respondent, by his proceedings in Na.Ka.16/5, dated 19.06.2015, informed the petitioner that he is taking necessary steps to issue Patta to the owners of the property based on their title deeds and he has also stated that as and when enquiry will be conducted, the petitioner will be called to appear for enquiry. But, till date, no action was taken by the respondents. Hence, the petitioner has sent another representation, dated 30.11.2016, to the second respondent requesting him to sub-divide the said land and issue separate Patta. Having received the petitioner's representation, the second respondent directed the petitioner to deposit a sum of Rs.500/-. Accordingly, the petitioner deposited the said amount on 05.12.2016. But, the second respondent did not take any action. Hence, the petitioner has sent another representation dated 15.02.2017 to the second respondent seeking sub-division and separate Patta. The second respondent directed the petitioner to pay Rs.1,000/- and Rs.500/- separately for name transfer and sub-division. Accordingly, the petitioner has paid the amount. After receipt of the said amount, the second respondent issued two copies of Town Survey Field Register regarding Old Survey No.457/9 and New Survey Nos.7/64 and 7/65. The petitioner would further submit that the second respondent had assured him that Patta will be issued shortly. But, till date, the second respondent did not take any action. Hence, the petitioner has come out with the present Writ Petition.

3.Since the prayer is limited for sub-dividing and issuing Patta to the petitioner, the second respondent is directed to issue the same after giving an opportunity to the petitioner. If the petitioner produces all the materials for passing such orders, the second respondent shall consider the same in accordance with law, as expeditiously as possible, preferably, within 6 months from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of. No costs.

Sd/

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Assistant of Land Administration and Land Tax,
Ezhilagam,
Chennai - 5.



2.The Special Tahsildar,
Town Settlement,
Manapparai Taluk,
Trichy District.

+1 cc to Mr.T.Lenin kumar,Advocate, SR.NO.99955

+1 cc to Spl.Govt.Pleader,SR.NO.99885

smn2

SS/RSK/SAR 4/21.12.2018/3P/5C

W.P (MD) No.24340 of 2018
11.12.2018