

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.21660 of 2019

C.Panchamoorthy

... Petitioner

Vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Tahsildar,
Thirukovilur Taluk,
Villupuram District.

3.The Taluk Surveyor,
Thirukovilur Taluk,
Villupuram District.

... Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus, praying to direct the respondents 1 to 3 to consider and pass order on the petitioner's representation dated 16.06.2010, 31.05.2013, 28.09.2015 and 19.07.2018 for survey, sub divide the land and transfer of patta in favour of the petitioner within a time frame fixed by this Court.

For Petitioner :Mr.B.Janakiram

For Respondents:Mr.K.Ravikumar

Additional Government Pleader

ORDER

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

2. Heard Mr.B.Janakiram, learned counsel appearing for the petitioner and Mr.K.Ravikumar, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3. The petitioner has sought separate patta in the following Survey Nos.25/1, 25/4, 26/1, 26/4, 37/3, based on the documents. However, the respondents have not issued any patta on his application. Hence, present writ petition.

4. After filing the writ petition, the respondent has caused enquiry and found that except New Survey No.50/1, (Old S.No.34/1) all other items of the properties are held by

the petitioner along with other sharers. Therefore, it is submitted by the Tahsildar that separate patta cannot be issued to the petitioner for the said properties without proper division among the co-sharers. As far as, the New S.No.50/1, it is reported that separate patta has been issued to the petitioner under patta No.39 to an extent of 0.350 Sq.meter.

5. Recording the same, this Writ Petition is disposed of with liberty to the petitioner herein to make an application for separate patta, after sub-division of the property or to apply for joint patta to the rest of the property on production of all the necessary documents for the consideration of the Tahsildar. If any application made, same shall be considered in accordance to law.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Villupuram District,
Villupuram.

2.The Tahsildar,
Thirukovilur Taluk,
Villupuram District.

3.The Taluk Surveyor,
Thirukovilur Taluk,
Villupuram District.

+1cc to the Government Pleader, S.R.No. 87351

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PPA(CO)
GN(19/11/2019)