

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2019

CORAM

THE HONORABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12412 of 2019

V.Mani

...Petitioner

Vs.

1. The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam.

2. The Assistant Director,
Land Survey Records Department,
Nagapattinam.

3. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Mayiladuthurai - 609001.

4. The Thasildar,
Sirkali Taluk,
O/o. The Tahsildar,
Sirkali - 609110.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 4th respondent to measure, subdivide the lands of the petitioner in Resurvey No.155/3 Tiruvengadu Village to the total extent of 17296 sq.ft, of property mentioned in the Sale Deed of the petitioner in Doc.No.124/99, dated 26.03.1999 on the file of the SRO, Poompuhar and issue individual patta in the name of the petitioner for the extent of 17296 sq.ft which he has purchased.

For Petitioner : Mr.Gubendra Gunabalan D

For Respondents: Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main

writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the fourth respondent to measure and subdivide the lands in Resurvey No.155/3, measuring to the total extent of 17296 sq.ft, situated at Tiruvengadu Village, Sirkali Taluk, Nagapattinam District and issue individual patta to the petitioner, based on his representation dated 12.12.2018.

3. It is stated that the petitioner has purchased the subject matter property from one T.S.Ramamoorthy vide sale deed dated 26.03.1999, registered as Document No.124 of 1999. It is further stated that from the date of purchase, the petitioner is in possession and enjoyment of the above said property. It is further stated that the fourth respondent has issued a joint patta No.530 dated 26.05.2014 in the name of the petitioner and his vendor. Hence, the petitioner made several representations, last of which, was made on 12.12.2018, seeking to measure and subdivide the subject matter land and issue individual patta to the petitioner. Now, the grievance of the petitioner before this Court is that the said representation has not been considered by the respondents. Hence, the present writ petition.

4. Heard both sides.

5. This Court at this stage is not expressing any view on the merits of the claim made by the petitioner, as it is for the fourth respondent to consider and decide the same. Thus, this writ petition is disposed of, only by directing the fourth respondent to consider the representation of the petitioner dated 12.12.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

mk

To

1. The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam.

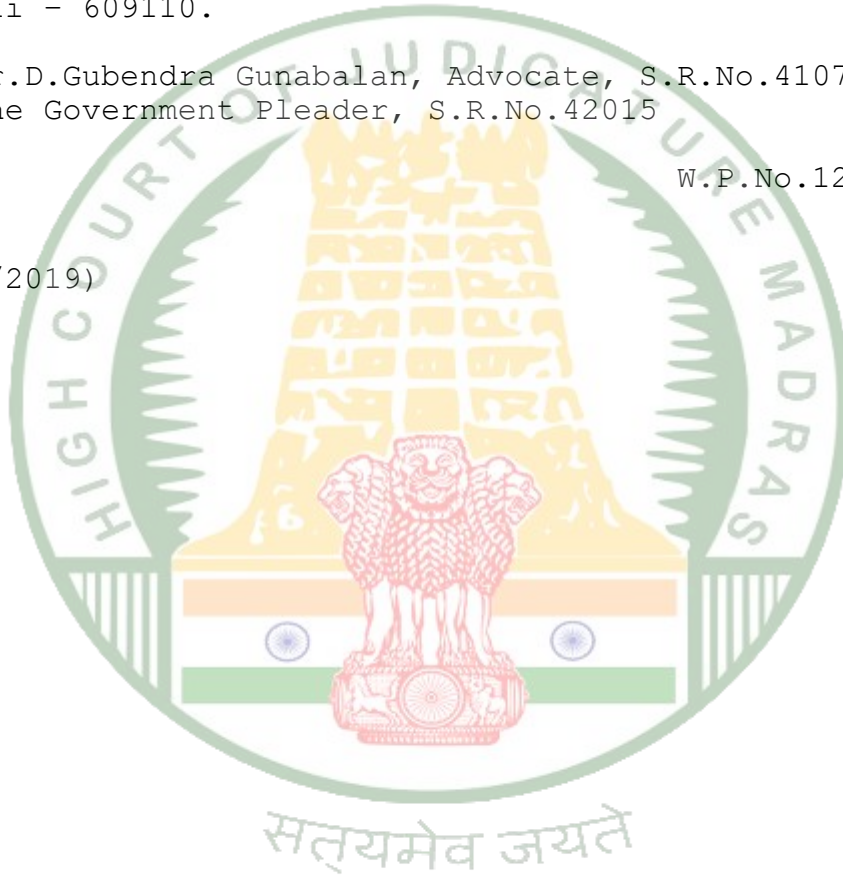
2. The Assistant Director,
Land Survey Records Department,
Nagapattinam.
3. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Mayiladuthurai - 609001.
4. The Thasildar,
Sirkali Taluk,
O/o. The Tahsildar,
Sirkali - 609110.

+1cc to Mr.D.Gubendra Gunabalan, Advocate, S.R.No.41077
+1cc to the Government Pleader, S.R.No.42015

W.P.No.12412 of 2019

BR(CO)

RRS (17/06/2019)



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