



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.12833 of 2019

and

W.M.P.(MD) No.9566 of 2019

R.Rajaram

...Petitioner

-Vs-

1.The Tahsildar,
Office of the Tahsildar,
Tiruchendur.

2.The Deputy Inspector of Survey,
Land Survey Section,
Office of the Tahsildar,
Tiruchendur.

3.The Village Administrative Officer,
Udankudi Village,
Udankudi.

4.K.Aysha Kallasi

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent not to interfere with the civil dispute by way of subdividing the property in Survey Nos.315/1, 2 & 3 at Udankudi Village, Tiruchendur Taluk and not to issue any separate patta on the basis of the sale deed dated 31.01.2019 registered as Document No.158/2019 on the file of Sub Registrar Office, Udankudi in favour of the 4th respondent.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.P.Kannidevan, AGP
for RR1 to 3

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent not to interfere with the civil dispute by way of subdividing the property in Survey Nos.315/1, 2 & 3 at Udankudi Village, Tiruchendur Taluk and not to issue any separate patta on the basis of the sale deed dated 31.01.2019 registered as Document No.158/2019 on the file of Sub Registrar Office, Udankudi in favour of the 4th respondent.



2. Heard Mr.M.P.Senthil, learned counsel appearing for the petitioner and Mr.P.Kannidevan, learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that the northern portion of the property at S.No.315/1, 2 & 3 situated in Udankudi village, Tiruchendur Taluk belongs to the petitioner and the southern portion or other portion, which was subsequently purchased by the 4th respondent belongs to one G.Arumugapandian Nadar and after purchasing the said portion, the 4th respondent was trying to meddle with the northern portion of the petitioner's land and therefore, she is trying to encroach the land of the petitioner and in this regard, 4th respondent seems to have made some attempt with the revenue authorities i.e., the Tahsildar concerned to make sub division of the lands between the petitioner and only in that circumstances, the petitioner approached this Court on the apprehension that at the instance of the 4th respondent, if the official respondents i.e., the Tahsildar interferes with the property of the petitioner and makes an unlawful sub division, that will have an impact on the petitioner's property and therefore, the aforesaid prayer has been sought for.

4. However, when the case is taken up for hearing, the learned Additional Government Pleader produced a copy of order passed by the Tahsildar dated 04.06.2019, whereby, the Tahsildar has rejected the plea made by the 4th respondent for sub-dividing the property. With thus, the apprehension of the petitioner against the official respondents i.e., the Tahsildar to meddle with the property by making sub division, has been allayed and the issue has been as of now given a quietus and there is no need to pass any order as has been sought for in this writ petition by way of mandamus.

5. Therefore, recording the developments including the order passed by the Tahsildar dated 04.06.2019 in O.Mu.G2-OPT No.36976/2019, this Court is inclined to dispose of this writ petition.

6. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Tahsildar,
Office of the Tahsildar,
Tiruchendur.

2.The Deputy Inspector of Survey,
Land Survey Section,
Office of the Tahsildar,
Tiruchendur.

3.The Village Administrative Officer,
Udankudi Village,
Udankudi.

+1 CC to M/s.M.P.SENTHIL, Advocate SR-68653[F] dated 14/06/2019

Order made in
W.P. (MD) No.12833 of 2019
Dated:
13.06.2019

CS: (24/06/2019) 3P 5C