

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.07.2019****CORAM****THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.15975 of 2019**

Gurusamy

...Petitioner

-Vs-

1.The District Collector,
Theni District Collector Office,
Theni District.

2.The Tahsildar,
Theni Taluk Office,
Theni.

3.The District Surveyor,
Theni Collector Office Campus,
Theni.

4.The Taluk Surveyor,
Theni Taluk Office,
Theni.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent to consider the representation dated 20.06.2019 and consequently direct him to make subdivision and issue separate patta in the name of the petitioner for the property comprised in survey No.149/1 of Koduvilarpatty Village, Theni Taluk, Theni District.

For Petitioner : Mr.P.V.Gurudevaraj

For Respondents : Mr.V.Anand, Government Advocate

ORDER

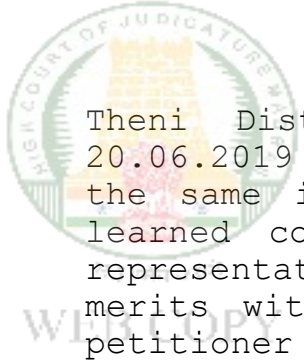
The prayer in this writ petition is for a Writ of Mandamus, to direct the second respondent to consider the representation, dated 20.06.2019 and consequently, direct him to make subdivision and issue separate patta in the name of the petitioner for the property comprised in survey No.149/1 of Koduvilarpatty Village, Theni Taluk, Theni District.

2.Heard Mr.P.V.Gurudevaraj, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The petitioner, in order to get subdivision of the land comprised in Survey No.149/1 of Koduvilarpatty Village, Theni Taluk,



Theni District, had given an application/representation dated 20.06.2019 to the respondent, especially, the second respondent and the same is pending with the second respondent. Therefore, the learned counsel for the petitioner submitted that if the said representation is directed to be decided by the second respondent on merits within a time frame to be stipulated by this Court, the petitioner would be satisfied.

5.I have heard Mr.V.Anand, learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner dated 20.06.2019 would be decided by the second respondent on merits, after hearing the petitioner as well as the rival claimants, if any, within the time frame.

6.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following directions:-

"that the second respondent is hereby directed to consider the representation of the petitioner, dated 20.06.2019 and pass order thereon, on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any and final order shall be passed, within a period of eight weeks from the date of receipt of a copy of this order. "

No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector, Theni District Collector Office,
Theni District.

2.The Tahsildar, Theni Taluk Office, Theni.

3.The District Surveyor, Theni Collector Office Campus, Theni.

4.The Taluk Surveyor, Theni Taluk Office, Theni.

+1 CC to SPL GP SR-76380.

+1 CC to Mr.P.V.GURUDEVARAJ, Advocate SR-76120.

Order made in

W.P. (MD) No.15975 of 2019

18.07.2019