



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

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W.P. (MD)No.18627 of 2019

V.Alagarsamy

... Petitioner

-Vs-

The Tahsildar,
Oddanchartam Taluk,
Dindigul District.

... Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondent to measure and demarcate the property in S.No. 223/1A1A ad-measuring 2 Acres 50 cents comprised in Periyakottai Village, Dindigul District and to issue separate patta to the petitioner as well as his brother Arumuga Gounder by considering the application of the petitioner dated 01.03.2019 within a timeframe that may be fixed by this Hon'ble Court.

For Petitioner	: Mr.S.C.Herold Singh
For Respondent	: Mr.B.Bhagawathi, G.A

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondent to measure and demarcate the property in S.No. 223/1A1A ad-measuring 2 Acres 50 cents comprised in Periyakottai Village, Dindigul District.

2.Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondent.

3.In order to subdivide the land at S.No. 223/1A1A ad-measuring 2 Acres 50 cents comprised in Periyakottai Village, Dindigul District, which belongs to the petitioner and his brother and to issue separate patta in favour of the petitioner for his portion, the petitioner had given a representation on 19.07.2019 and in this regard, application had also been made through online on 01.03.2019 by the petitioner and necessary amount has also been paid by the petitioner. Despite the same, since the said application has not been so far considered by the respondent, the petitioner is before this Court. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation of the petitioner is decided by the 2nd respondent and final order is passed thereon, within a time frame on merits, the petitioner would be satisfied.



4.I have heard the learned Government Advocate appearing for the respondent, who would submit that, the said application as well as the representation of the petitioner would be decided on merits within a time frame to be stipulated by this Court.

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5.Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The respondent is hereby directed to consider the representation of the petitioner dated 19.07.2019 along with the online application dated 01.03.2019, by taking into account the payment of fee made by the petitioner on 28.02.2019 and pass orders thereon, on merits and in accordance with law, after hearing the petitioner as well as his brother, who is also joint owner of the property in question and pass final orders thereon, within a period of eight weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

The Tahsildar,

Oddanchartam Taluk,

Dindigul District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-83950[F] dated 28/08/2019)

+1 CC to M/s.SPL GP (SR-84204[F] dated 29/08/2019)

Order made in

W.P. (MD)No.18627 of 2019

Dated:

28.08.2019

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