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W.P. (MD) Nos.13648, 13701 and 13756 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) Nos.13648, 13701 and 13756 of 2020

Sorna Lakshmi	...Petitioner in W.P.(MD)No.13648 of 2020
Saleth Mary	...Petitioner in W.P.(MD)No.13701 of 2020
Podhu Mani	...Petitioner in W.P.(MD)No.13756 of 2020

-Vs-

1.The Tahsildar,
Office of the Tahsildar,
Dindigul West Taluk,
Dindigul District.

2.Taluk Head Surveyor,
Dindigul West Taluk,
Dindigul District.

...Respondents

COMMON PRAYER: Writ Petitions are filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to make sub-division and give patta in the petitioners' name for the property situated in Dindigul District, Dindigul West Taluk, Sinthalakundu Village in Plot Nos.3 and 4, Plot Nos.1 and 2 and Plot No.5 of S.F.No.690/13 respectively on the basis of the petitioners' representations dated 30.08.2019 and 15.09.2020, within the time frame fixed by this Court.

For Petitioners : Mr.S.Krishnan

For Respondents
in WP(MD)No.13648/2020: Mr.P.Kannidevan,
Additional Government Pleader.
in WP(MD)No.13701/2020: Mr.M.Pandiyarajan, AGP
in WP(MD)No.13756/2020: Mr.M.Muniyasamy, AGP

COMMON ORDER

The petitioners have come forward with these Writ Petitions, seeking a direction to direct the respondents to make sub-division and give patta in the petitioners' name for the

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property situated in Dindigul District, Dindigul West Taluk, Sinthalakundu Village in Plot Nos.3 and 4, Plot Nos.1 and 2 and Plot No.5 of S.F.No.690/13 respectively on the basis of the petitioners' representations dated 30.08.2019 and 15.09.2020, within the time frame fixed by this Court.

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2.By consent, these Writ Petitions are taken up for final disposal at the stage of admission itself.

3.Mr.P.Kannidevan, learned Additional Government Pleader accepts notice on behalf of the respondents in all Writ Petitions.

4.According to the petitioners, they purchased the Plot Nos.3 and 4, Plot Nos.1 and 2 and Plot No.5 of S.F.No.690/13 respectively, situated in Sinthalakundu Village, Dindigul West Taluk, Dindigul District. Seeking sub division and separate patta, they made representations on 30.08.2019 and 15.09.2020 before the first respondent. Since no effective steps have been taken on the representations of the petitioner, they have approached this Court by way of filing these Writ Petitions with the aforesaid prayer.

5.This Court has already passed an order with regard to the issuance of patta in W.P(MD)No.7746 of 2018 batch, dated 23.09.2020. The directions therein should be followed without any violation. In the present case on hand, the petitioners sought for sub-division and separate patta, for which online application said to have been made on 30.08.2019.

6.The learned Additional Government Pleader appearing for the respondents would submit that a communication has already been sent to the petitioners on 05.10.2020, asking for certain details and that the petitioners need to produce approved layout sketch and other parent document, enabling the authorities to come to a conclusion, acceding to the request of the petitioners. Merely because an application has been made, it is not suffice, unless it is supported by necessary document. If the documents are in order, the request of the petitioners need to be considered and the guidelines mentioned in the above order dated 23.09.2020 have to be followed.

7.This Court is of the considered view that in the present case on hand, without furnishing all the necessary documents, the petitioners cannot seek for sub-division and a separate patta for the sub-divided property. Accordingly, these Writ Petitions stand dismissed with liberty to the petitioners to furnish the document asked for by the respondents. If the same is in order, the request of the petitioners shall be considered and a decision shall be taken at the earliest point of time, within a period of



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thirty (30) days from the date of submission of the documents by the petitioners as sought for by the respondents. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Myr

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Tahsildar,
Office of the Tahsildar,
Dindigul West Taluk,
Dindigul District.

2. Taluk Head Surveyor,
Dindigul West Taluk,
Dindigul District.

+1 CC to SGP (SR-19329[F] dated 07/10/2020)

COMMON ORDER made in

W.P. (MD) Nos.13648, 13701 and 13756 of 2020

06.10.2020

KM(CO)

KM (14.10.2020) 3P 4C