

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No. 9517 of 2021

P.Devarajan,
S/o. Late Palanisamy

...Petitioner

Versus

1. The District Collector,
Tiruppur District,
Tiruppur.

2. The Tahsildar,
Avinashi Taluk,
Tiruppur Dt.

3. P.Ponnusamy,
S/o. Podarappagounder

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to measure and to sub-divide the lands in SF. No. 139, in Rakkiyapalayam Village, Avinashi Taluk, Tiruppur District by considering the representation dated 05.08.2019.

For Petitioner : Mr.Ma.P.Thangavel

For Respondents : Mr.Y.Parthasarathy,
Govt. Advocate for R1 and R2

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the respondents to measure and sub-divide the lands in SF. No.139, in Rakkiyapalayam Village, Avinashi Taluk, Tiruppur District on considering the petitioner's representation dated 05.08.2019.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. The grievance of the petitioner is that the petitioner and the 3rd respondent have purchased the property and subsequently, in a civil suit filed by the 3rd respondent the decree was made in their favour. Thereafter, the petitioner has made a representation before the respondents 1 and 2 seeking for subdivision of lands. But, so far, it was not considered and no order has been passed on it. Hence, the present Writ Petition has been filed by the petitioner.

4. Today, when the matter taken up for hearing, the learned Government Advocate appearing for respondents 1 and 2 would submit that the enquiry was posted on 27.04.2021 at 11.00 a.m. before the 2nd respondent. Hence, the 2nd respondent may be directed to pass suitable orders on merits.

5. Considering the above circumstances, without going into the merits of the case, the 2nd respondent is directed to consider the petitioner's representation dated 05.08.2019 and pass suitable orders on merits in accordance with law after hearing the petitioner as well as 3rd respondent within a period of four weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rpp

To

1. The District Collector,
Tiruppur District,
Tiruppur.

2. The Tahsildar,
Avinashi Taluk,
Tiruppur Dt.

+1 CC to Mr.Ma.P. Thangavel, Advocate sr 23547
+1 CC to The Government Pleader sr 23646.

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GPL (CO)
SP(19/05/2021)