



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.18327 of 2021

S.Govindaraj

... Petitioner

Vs.

1.The District Collector,
Tirupattur, Tirupattur District.

2.The Tahsildar,
Tirupattur, Tirupattur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to sub-divide and to transfer patta in the name of the petitioner within time frame as to be fixed by this Court by considering the petitioner's online application in Can No.133360711981843 and Application No.2021/0105/36/245988, dated 08.04.2021 to the respondent -2.

For Petitioner : Mr.PA.Sudesh Kumar

For respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

The petitioner has filed a mandamus to direct the respondent to sub-divide and to transfer patta in the name of petitioner by considering the petitioner's on-line application in Can No.133360711981843 and Application No.2021/0105/36/245988, dated 08.04.2021 within a time frame.

2.The case of the petitioner is that he and his brother viz., Mani have purchased a property situated in S.No.25/7 0.23.0 hectares to an extent of East - West : 27 feet, South - North : 80 feet totally 1840 sq.ft. vacant site in Narianeri Village, Kandili Panchayat, Tirupattur Taluk by virtue of registered Sale Deed vide Document No.4685 of 2020 from one P.Santhakumar. According to the petitioner, this property and other properties originally belonged to him by virtue of a registered Partition Deed vide Document No.4705 of 2010 under B-Schedule and patta was also granted vide Patta No.636 by the Tahsildar, Tirupattur in the name of P.Santhakumar.



3. According to the petitioner, after the said purchase, he and his brother have applied for sub-division of the said survey number and grant for patta on the basis of the sale deed in their favour to the second respondent on 08.04.2021 through on-line. According to the petitioner, in spite of their repeated request, no steps have been taken to measure, sub-divide and transfer of patta into the petitioner as well as his brother's name.

4. The petitioner submits that he and his brother are from a downtrodden family. With great difficulties, they have purchased the said property. They approached local banks to construct a small house in the aforesaid property. They require the revenue records to be transferred into their name as they could not proceed further with bank for applying loan.

5. The petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, the writ petition filed.

6. On going through the averments, it is seen that the petitioner and his brother are from a downtrodden family as they could not obtain loan from banks for constructing a small house and the application submitted by the petitioner on 08.04.2021 has been received by the respondents, but no steps have been taken by the respondents till date.

7. In view of the above, this Court is of the view that the petitioner's on-line application in Can No.133360711981843 and Application No.2021/0105/36/245988 dated 08.04.2021 to be considered by the respondents and to pass appropriate orders in accordance with law after affording an opportunity to the petitioner within a period of 12 weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

pam

To

1. The District Collector,
Tirupattur, Tirupattur District.

2. The Tahsildar,
Tirupattur, Tirupattur District.

+1 cc to Government Pleader Sr.NO. 44893

A.SK(11.10.2021)

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