



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.757 of 2021

(Through Video Conference)

WEB COPY

A.R.Sarthar

...Petitioner

Vs.

1. The District Collector,
Trichy Taluk,
Trichy District.

2. The Tahsildar,
Trichy Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider his representation dated 01.10.2020 and consequently direct the respondents to survey subdivide, enter in the revenue records of the land in survey No.63/1, 63/2, 62 with an extent of 5 acres and subsequently issue the separate patta in respect of the above said land in favour of the petitioner.

For Petitioner : Mr.N.Saravanan

For Respondents : Mr.M.Muniasamy,

Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 01.10.2020, wherein the petitioner has sought for a direction to survey, sub divide and for a separate Patta, with respect to the subject properties.

2. The case of the petitioner is that the he is the owner of the subject properties, by virtue of a registered sale deed dated 30.08.1958. The petitioner, thereafter, applied for a Patta and only a Joint Patta was issued in his favour. The petitioner, therefore made a representation before the second respondent on 01.10.2020 seeking for survey, sub division and issuance of a separate Patta with regard to the subject property. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.N.Saravanan, learned counsel for the petitioner and Mr.M.Muniasamy, learned Additional Government Pleader appearing for the respondents.



4. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the second respondent to consider the representation made by the petitioner on 01.10.2020 on its own merits and in accordance with law and shall pass orders within a period of twelve(12) weeks from the date of receipt of a copy of this order.

5. If the second respondent finds that there is any other interested party claiming right over the subject property, they shall also be issued with notice and opportunity shall be given to raise their objections, if any.

6. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts

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 District Collector,
Trichy Taluk,
Trichy District.

2. The Tahsildar,
Trichy Taluk,
Trichy District.

+1 CC to M/s.SPL GP (SR-16274[F] dated 17/04/2021)

Order made in

W.P. (MD) No.757 of 2021

Dated:

16.04.2021