



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2021

CORAM

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD)No.13646 of 2021

WEB COPY

N.Senthil

... Petitioner

Vs.

1. The Thasildhar,
South Taluk, Madurai,
Madurai District.

2. The Deputy Tahsildar,
South Taluk,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned memo passed by the first respondent dated 05.07.2021 in Na.Ka.No.1555/2021/A2 and quash the same and consequently direct the respondent to issue patta in the name of petitioner for his land in Survey No.111/3A1C1 admeasuring 4 $\frac{3}{4}$ cents situated at Kallambal Village, Panaiyur Post, Madurai District within a time that may be fixed by this Court.

For Petitioner : Mr.S.Balaji
For Respondents : Mr.P.Subbaraj,
Counsel for State

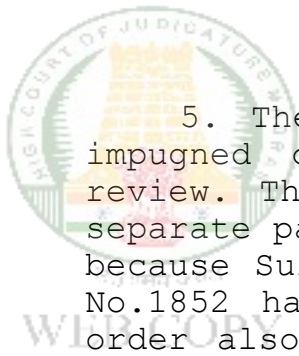
O R D E R

The petitioner seeks a separate patta in his name in respect of the property in Survey No.111/3A1C1 admeasuring 4 $\frac{3}{4}$ cents at Kallambal Village, Panaiyur Post, Madurai District.

2. The petitioner traces title to this property through a settlement deed dated 31.08.2020. A joint patta bearing Patta No.1852 is also relied upon to substantiate the contention that the petitioner has title in respect of such property.

3. By representation dated 02.03.2021, the petitioner requested the first respondent to issue a separate patta. Such request was rejected by the impugned order dated 05.07.2021, which is challenged in the present writ petition.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents.



5. The question that arises for consideration is whether the impugned order of 05.07.2021 warrants interference in judicial review. The Tahsildar has examined the petitioner's request for a separate patta and concluded that a separate patta cannot be granted because Survey No.111/3A1C1 is a property in respect of which Patta No.1852 has been granted to twenty persons jointly. The impugned order also records that Survey No.111/11 was not sub-divided and that twenty one persons' names are reflected in Patta No.1744 as per the Village accounts and the computerized Chitta. By citing the aforesaid reasons, the request for separate patta was rejected. The impugned order also records that the request for separate patta would be considered if the petitioner obtains the release document from the other nineteen patta holders.

6. Upon careful consideration of the reasons cited in the impugned order, I find that no case is made out to interfere therewith inasmuch as cogent reasons have been indicated for refusing to issue the separate patta.

7. Accordingly, W.P(MD).No.13646 of 2021 is dismissed. However, it is open to the petitioner to address the issues raised by the Tahsildar in the impugned order and reapply for a separate patta thereafter. There will be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Thasildhar,
South Taluk, Madurai,
Madurai District.

2. The Deputy Tahsildar,
South Taluk,
Madurai District.

+1 CC to M/s.S.BALAJI (SR-25642[F] dated 09/08/2021)

+1 CC to M/s.GP (SR-25617[F] dated 09/08/2021)

W.P. (MD)No.13646 of 2021

06.08.2021

MGJ(13.08.2021) 2P 5C