



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15463 of 2021

R.Suriyanarayanan

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Thasildhar,
Tirumangalam Taluk,
Madurai District.

3.The Taluk Surveyor,
Tirumangalam Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to make subdivision of the petitioner's land, measuring 38 Cents out of 0.18.5 Ares land in S.No.186/2A, in Thirali Bit-2 Village, Tirumangalam Taluk in Madurai District, as according to the sale deed Document No.2457/2003 dated 23.04.2003, and to issue the petitioner a separate patta for the same, by disposing his online application No.2020/0105/24/219670, dated 10.08.2020.

For Petitioner	: Mr.M.Rajesh
For Respondents	: Mr.P.Subbaraj, Counsel for State.

ORDER

The petitioner prays for a direction for the subdivision of the land measuring 38 cents out of 0.18.5 Ares in S.No.186/2A, in Thirali Bit-2 Village, Tirumangalam Taluk in Madurai District.

2. The petitioner states that he purchased the above mentioned property under a sale deed dated 23.04.2003, which was registered as Document No.2457 of 2003. He also refers to the joint patta issued in favour of himself and his vendor Alagarsamy. It is stated that in spite of submitting an online application on 10.08.2020 seeking subdivision of the property, no action has been taken thereon.



3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the respondents. He submits that the petitioner would be required to provide all necessary documents in relation to the request for subdivision by visiting the office of the second respondent. On such basis, the petitioner's request may be disposed of on merits.

4. The documents on record include the sale deed executed by the legal heirs of Alagarsamy in favour of the petitioner with regard to 38 cents of land in Survey No.186/2A. The joint patta has been issued in respect of the larger extent of 0.18.50 ares. Consequently, it would be necessary to put the legal heirs of Alagarsamy on notice before a decision is taken on the petitioner's request for subdivision.

5. Subject to the above observations but without going into the merits of the matter, the second and third respondents herein are directed to consider the petitioner's application dated 10.08.2020 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, the legal heirs of the joint pattadhar, Alagarsamy, and any other person who would be affected by such decision. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order. The petitioner is permitted to submit all necessary documents in connection with the application to the second respondent within a period of two (2) weeks from the date of receipt of a copy of this order.

6. Accordingly, W.P.(MD).No.15463 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Madurai District.

2.The Thasildhar,
Tirumangalam Taluk,
Madurai District.

3.The Taluk Surveyor,
Tirumangalam Taluk,
Madurai District.

+1 CC to M/s.GP (SR-27896[F] dated 02/09/2021)

W.P (MD) No.15463 of 2021
01.09.2021

MGJ(08.09.2021) 3P 5C