



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.17064 of 2021

WEB COPY

Senthil

... Petitioner

Vs.

1.The Thasildar,
Karur Taluk Office,
Karur, Karur District.

2.The Village Administrative Officer,
Thanthoni Village,
Karur Taluk, Karur 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 to issue separate patta in the name of the petitioner by making sub division of property in Survey Nos.184, 185, 186, situated at Thanthoni Village, Karur Taluk, Karur District, on the basis of the petitioner's representation dated 12.07.2021.

For Petitioner : Mr.S.Dheenadhayalan
For Respondents : Mr.K.S.Selva Ganesan
Counsel for State

ORDER

The petitioner seeks a direction to the respondents to undertake a sub division of the property bearing Survey Nos.184,185 and 186 at Thanthoni Village, Karur Taluk, Karur District and thereafter issue a separate patta to the petitioner.

2.The petitioner states that the above mentioned property originally belonged to his father. Subsequently, by a registered settlement deed dated 27.07.2016, bearing Document No.5065/2016, the property was settled in favour of the petitioner. Thereafter, the petitioner states that he is in possession and enjoyment of the said property. By citing the joint patta in the names of the petitioner and others, the petitioner seeks a sub division of the property and the grant of a separate patta in his name.

3.In spite of submitting a petition in such regard on 27.05.2019, the petitioner states that no action has been taken although the jurisdictional Revenue Divisional Officer directed the concerned to take action by a communication dated



12.06.2019. The present writ petition is filed in these facts and circumstances.

4.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the petitioner's representation may be directed to be considered and disposed of on merits after providing a reasonable opportunity to the joint pattathars.

5.The petitioner has enclosed a copy of the registered settlement deed dated 27.07.2016 in his favour. In addition, two pattas in relation to the relevant properties are enclosed. Patta No.2790 is in respect Survey No.184 of an extent of 0.24.00 hectares. The said patta has been issued to Senthil Kumar, Muruganantham, Krishnan, Rajeswari and the petitioner, Senthil. Patta No.3262 is in respect of S.No.185 and S.No.186. Survey No.185 is of an extent of 0.14.00 hectares and Survey No.186 of an extent of 0.17.00 hectares. This patta has been issued to Krishnan, Muthukumar and the petitioner, Senthil. Therefore, the joint pattathars should be put on notice and their objections, if any, considered before a decision is taken on the petitioner's request for sub division and separate patta. However, the representation in this regard should be dealt with expeditiously considering the fact that it was submitted as early as in 2019.

6.For reasons set out above, W.P.(MD).No.17064 of 2021 is disposed of by directing the first respondent to consider the petitioner's representation dated 12.07.2021 and initiate action on such basis after providing a reasonable opportunity to the petitioner and the joint pattathars under Patta Nos.2790 and 3262. The entire exercise shall be concluded within a period of three (3) months from the date of receipt of a copy of this order. However, there will be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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 Thasildar,
Karur Taluk Office,
Karur,
Karur District.

2.The Village Administrative Officer,
Thanthoni Village,
Karur Taluk,
Karur District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-30229[F] dated 24/09/2021)

+1 CC to M/s.SPL. GP (SR-30152[F] dated 24/09/2021)

W.P (MD) .No.17064 of 2021
22.09.2021

NSN (CO)
SB(30.09.2021) 3P 5C