



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.09.2021
CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.17599 of 2021

WEB COPY

S.Chinnappa

... Petitioner

Vs.

1.The District Collector,
Collector Office,
Pudukottai,
Pudukottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi,
Pudukottai District.

3.The Tahsildar,
Tahsildar Office,
Aranthangi Taluk,
Pudukottai District.

4.The Land Surveyor,
Aranthangi Taluk,
Pudukottai 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 favour of the petitioner by measure and demarcate his lands in Survey No.101/4, to an extent of 20 cents (0.08 ares) in 0.29.0 ares situated Melmangalam Village, Aranthai Taluk, Karaikudi Registration Department, Pudukottai District based on the petitioner's online application dated 05.01.2021 and his representation through Register Post dated 11.09.2021.

For Petitioner : Mr.K.Srinivasa Ragavan

For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks a direction for the issuance of a patta and for a survey of the land bearing Survey No.101/4 of an extent of 20 cents in 0.29.0 ares at Melmangalam Village, Aranthai Taluk,



Karaikudi Registration Department, Pudukottai District.

2.The petitioner states that the above mentioned property was purchased by him from the previous owner, Jeyaprakash, under a registered sale deed dated 20.07.2015, bearing Document No.3188/2015. Subsequent thereto, it is stated that he applied for a patta on 05.01.2021. However, the patta has not been issued. Therefore, the petitioner has approached this Court for issuance of patta and for conducting a survey of the relevant property.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's application may be considered and disposed of on merits.

4.The petitioner has enclosed a copy of the sale deed dated 20.07.2015. Such sale deed is in respect of 20 cents in S.No.101/4. The petitioner has also enclosed a copy of the patta issued in the name of his vendor, Jeyaprakash. Such patta bearing Patta No.1716 pertains to S.No.101/4. The extent indicated therein is 0.29.0 ares. Therefore, it appears that the petitioner's vendor has retained a significant extent of property while conveying a smaller portion thereof to the petitioner. Consequently, it would be necessary to put the petitioner's vendor on notice in relation to the petitioner's request for a patta in as much as a sub division of the relevant property would be necessary for such purpose.

5.Subject to the above observations, the third respondent is directed to consider the petitioner's application dated 05.01.2021 and initiate necessary action thereon after providing a reasonable opportunity to the petitioner, Mr.Jeyaprakash and any other persons who may have purchased the property bearing S.No.101/4 from the said Jeyaprakash. The entire exercise shall be completed within a period of three (3) months from the date of receipt of a copy of this order.

6.W.P(MD).No.17599 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CRL)

// 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

<https://hcservices.ecourts.gov.in/hcservices/>



copy, shall be the responsibility of the advocate/litigant concerned.

To

WEB COPY

- 1.The District Collector,
Collector Office,
Pudukottai,
Pudukottai District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi,
Pudukottai District.
- 3.The Tahsildar,
Tahsildar Office,
Aranthangi Taluk,
Pudukottai District.
- 4.The Land Surveyor,
Aranthangi Taluk,
Pudukottai District.

+1 CC to M/s.SPL.GP (SR-30879[F] dated 01/10/2021)

W.P (MD) .No.17599 of 2021

30.09.2021

RD(12.10.2021) 3P 6C