



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)Nos.17917 and 17935 of 2021

WEB COPY

W.P. (MD) .No.17917 of 2021

V.R.Aravind

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Viralimalai Taluk Office,
Inamkulathur Road,
(Near Viralimalai Jallikattu Statue)
Viralimalai - 621 316.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to sub-divide and issue patta in favour of the petitioner in respect of the property purchased by him under sale deed dated 18.05.2017 by considering his representation dated 10.08.2021 within a time stipulated by this Hon'ble Court.

W.P. (MD) .No.17935 of 2021

V.R.Shiva

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Viralimalai Taluk Office,
Inamkulathur Road,
(Near Viralimalai Jallikattu Statue)
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... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to sub-divide and issue patta in



favour of the petitioner in respect of the property purchased by him under sale deed dated 18.05.2017 by considering his representation dated 10.08.2021 within a time stipulated by this Hon'ble Court.

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For Petitioners : Mr.S.I.Muthiah

For Respondents : Mr.B.Saravanan
Counsel for State.
(In both Writ Petitions)

COMMON ORDER

The respective petitioner seeks a sub-division and the issuance of patta.

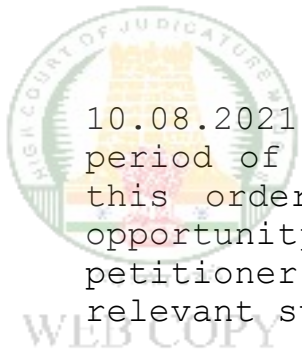
2.The respective petitioner states that he purchased the property bearing Survey No.50/2A2 and 50/2B1 admeasuring an aggregate extent of 1.08 Hectares at Buthakudi Village, Viralimalai Taluk, Pudukkottai District. Such property was purchased by the respective petitioner from M/s.ALMCO Properties Private Limited under a registered sale deed dated 18.05.2017 bearing Document Nos.627/2017 and 628/2017, respectively. The respective petitioner also cites the pattas in the name of the vendor bearing Patta Nos.1549 and 1571.

3. In order to sub-divide the property purchased by the respective petitioner and obtain separate pattas, the respective petitioner submitted an application to the second respondent. The present Writ Petitions are filed because such application was not acted upon although the same was submitted on 16.08.2021.

4. Mr.B.Saravanan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the second respondent may be directed to consider and dispose of the petitioner's representation on merits and in accordance with law.

5. The respective petitioner has enclosed a copy of the sale deed under which such petitioner purchased the property from M/s.ALMCO Properties Private Limited. The pattas in favour of the vendor are enclosed. On the basis of these documents, the respective petitioner has made out a case for the consideration and disposal of the respective application within a reasonable time limit. However, the petitioner's vendor and the other pattathars in respect of the relevant survey numbers should be put on notice before a decision is taken.

6. Accordingly, without entering any findings on the merits of the matter, the second respondent herein is directed to consider the respective petitioner's representation dated



10.08.2021 and dispose of the same by a reasoned order within a period of three (3) months from the date of receipt of a copy of this order. Before issuing such reasoned order, a reasonable opportunity should be provided to the respective petitioner, the petitioner's vendor and any other pattathars in respect of the relevant survey numbers.

7. W.P.(MD).Nos.17917 and 17935 of 2021 are disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
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Inamkulathur Road,
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+1 CC to M/s.SPL.GP (SR-31338,31336[F] dated 06/10/2021)

W.P(MD)Nos.17917 and 17935 of 2021
05.10.2021

RK (20/10/2021) 3P 4C