



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.18618 of 2021

WEB COPY

D.Albert

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Collectorate Campus,
Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli District,
Tirunelveli.

3.The Tahsildar,
Mannur Taluk,
Tirunelveli District.

4.The District Surveyor,
Tirunelveli District,
District Survey Office,
Tirunelveli.

... Respondents

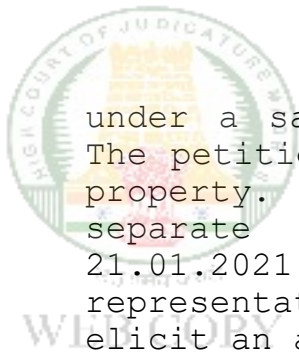
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to issue separate patta in the petitioner's name with regard to Survey No.286/2A to an extent of 21 Cents and Survey No.288/1A1 to an extent of 9 Cents totally admeasuring 30 Cents in which Northern portion admeasuring 10 Cents in Ukirankottai Village, Mannur Taluk, Tirunelveli District, as per the schedule in sale deed, dated 17.09.2010, registered as Document No.6157 of 2010, registered before the Sub Registration Office, Alankulam and to issue patta in the petitioner's name by considering the petitioner's representation, dated 06.10.2021.

For Petitioner	:	Mr.R.M.Suresh
For Respondents	:	Mr.K.S.Selva Ganesan, Counsel for State

ORDER

The petitioner seeks a separate patta in respect of the property bearing Survey No.286/2A and Survey No.288/1A1 in Ukirankottai Village, Mannur Taluk, Tirunelveli District.

2.The petitioner claims title to the above mentioned property
<https://hcservices.ecourts.gov.in/hcservices/>



under a sale deed dated 17.09.2010 bearing Document No.6157/2010. The petitioner cites Patta No.2754 in support of his claim over the property. In order to sub-divide the relevant property and obtain a separate patta, the petitioner submitted an application on 21.01.2021. The present Writ Petition is filed after submitting a representation dated 06.10.2021, which the petitioner states did not elicit an appropriate response.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the third respondent may be directed to consider and dispose of the petitioner's representation on merits after providing a reasonable opportunity to the joint pattadhars.

4.The petitioner has enclosed a copy of the sale deed dated 17.09.2010 through which he claims title to the relevant property. Patta No.2754 is also on record. The said patta has been issued to Muthusamy Thevar, Ponnupandi Thevar, Subash Chandrabose and the petitioner. Such patta pertains to the property bearing Survey Nos.286/2A2 and 288/1A1. On the basis of these documents, the petitioner has made out a case for the consideration of his representation seeking sub-division and separate patta. However, since the consideration of the petitioner's application would entail a sub-division of the relevant property, notice to the joint pattadhars is necessary before a decision is taken.

5.Accordingly, W.P.(MD).No.18618 of 2021 is disposed of by directing the third respondent to consider the petitioner's application for sub-division and separate patta and dispose of the same within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and the joint pattadhars under Patta No.2754. There will be no order as to costs.

Sd/-

Assistant Registrar (W)

// 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,
Tirunelveli District,
Collectorate Campus, Tirunelveli.

2.The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

3.The Tahsildar,
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Tirunelveli District.

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Tirunelveli District,
District Survey Office,
Tirunelveli.

+1 CC to M/s.SPL.GP (SR-32381[F] dated 25/10/2021)

**W.P (MD) No.18618 of 2021
22.10.2021**

SE (CO)

RS/JC (02.11.2021) 3P 6C