



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 17.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.15893 of 2014

(Through Video Conferencing)

Chellapandi

... Petitioner

Vs.

The Tahsildar
Andipatti Taluk
Theni District

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 20.09.2014 and consequently direct him to subdivide the property in survey No.133/1, 133/2 situated at Mayiladumbarai Village, Andipatti Taluk, Theni District and further direct him to issue separate patta in the petitioner's name regarding the above said properties.

For Petitioner

: Mr.A.Gandiappan

For Respondent

: Mr.P.Mahendran

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent to consider the representation made by the petitioner on 20.09.2014, wherein, the petitioner has sought for the subdivision of the subject property and for issuance of separate patta in his name.

2. The case of the petitioner is that he had purchased an extent of 2 acres and 12 cents out of the total extent of 10 acres and 60 cents by virtue of a sale deed dated 08.04.2008. The petitioner wanted to subdivide the property and get a patta insofar as the extent of property purchased by him. The petitioner therefore, made a representation on 20.09.2014 before the respondent. It is the further case of the petitioner that necessary charges were also paid for the survey. The grievance of the petitioner is that the representation has not been acted upon and hence, the present writ petition has been filed before this Court seeking for appropriate direction.

3. Heard the learned counsel for the petitioner and the learned



Additional Government Pleader appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 20.09.2014 and deal with the same on its own merits and in accordance with law and take a decision with regard to the survey and subdivision of the property and issuance of patta in favour of the petitioner within twelve weeks from the date of receipt of a copy of this order. If the respondent feels that other owners must also be present at the time of survey, notice shall also be issued to them before conducting a survey. The survey shall be conducted based on the title deeds of the petitioner.

5. The petitioner is directed to make a fresh representation to the respondents enclosing all the relevant documents along with a copy of this order.

6. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

The Tahsildar
Andipatti Taluk
Theni District

+1 CC to M/s.SPL GP (SR-16528[F] dated 19/04/2021)

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AS (08.06.2021) 3P 3C