



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.2399 of 2022

J.Devaki

...Petitioner

vs.

1.The District Collector,
Office of the Collector,
Coimbatore-641018.

2.The Tasildhar,
Anaimalai Taluk,
Anaimalai-642104.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to subdivide the agricultural lands of the petitioner situated at odayakulam village, Anaimalai Taluk, Coimbatore District and consequently direct him to issue a separate patta in the name of the petitioner and further impose a fine on the second petitioner for not taking any action with respect to petitioner's subdivision and patta transfer application dated 03.07.2020 till date thereby causing inordinate delay.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking a direction to the second respondent to subdivide the agricultural lands of the petitioner situate at odayakulam village, Anaimalai Taluk, Coimbatore District and consequently direct him to issue a separate patta in the name of the petitioner and further impose a fine on the second petitioner for not taking any action with respect to petitioner's subdivision and patta transfer application dated 03.07.2020 till date thereby causing inordinate delay.



2. Mr.T.Chezhiyan, learned Additional Government Pleader takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner owns various agricultural lands between survey numbers 476 to 482 and 1049/2 in Odayakulam Village, Anaimalai Taluk, Coimbatore vide partition that took place among the petitioner and her sister. The petitioner made an application on 03.07.2020 before the second respondent for subdivision of lands and consequent transfer of patta to her name. However, till date no action has been taken by the 2nd respondent on the application made by the petitioner. Hence the present Writ Petition has been filed by the petitioner with the above relief.

4. The learned counsel appearing for the petitioner submitted that though application was submitted on 03.07.2020 due to in action of the second respondent he had also made a representation to the first respondent on 30.11.2021 indicating his grievance, till date no orders were passed. He had also submitted that the Madurai Bench of this Court issued a circular in R.C.No.20403 of 2020 dated 15.03.2021 to all the District Collectors incorporating the guidelines issued under the W.P. (MD) 13465 and W.M.P.14711 of 2020 which makes it clear that when an application is received from the public, the authorities have to conduct a survey within a time frame.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's application dated 03.07.2020 will be considered by the Respondents within the time frame fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the second respondent to consider the petitioner's application dated 03.07.2020, within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar



nhs/tri

To

1.The District Collector,
Office of the Collector,
Coimbatore-641018.

2.The Tasildhar,
Anaimalai Taluk,
Anaimalai-642104.

+1cc to Mr.V.Raghavachari, Advocate SR. No.9710

+1cc to Government Pleader SR. No.10257

W.P.No.2399 of 2022

KG (CO)
PR (07/03/2022)