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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.6297 of 2022

E.Lakshmi

... Petitioner

Vs.

1. The District Collector,
Tiruppur,
Tiruppur District.
2. The Revenue Divisional Officer,
Udumalpet,
Tiruppur District.
3. The Tahsildar,
Udumalpet,
Tiruppur District.
4. The Head Surveyor,
Udumalpet,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third and fourth respondents to issue a separate sub division patta in the name of petitioner after survey of her property comprised in S.No.329/A1A situated at Elayamuthur Village, Udumalpet Taluk, Tiruppur District by considering her representation dated 18.02.2022.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr.R.Vigneswaran
Government Advocate



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the third and fourth respondents to issue a separate sub division patta in the name of petitioner after survey of her property comprised in S.No.329/A1A situated at Elayamuthur Village, Udumalpet Taluk, Tiruppur District by considering her representation dated 18.02.2022.

2. Mr.R.Vigneswaran, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3.The case of the petitioner is that the petitioner is the owner of the property comprised in S.No.329/A1A, measuring an extent of three acres, situated at Elayamuthur Village, Udumalpet Taluk, Tiruppur District and obtained a Joint Patta bearing No.1210. Hence, the petitioner made an application on 18.02.2022, before the third respondent for issuance of a separate sub division patta after conducting survey. However, till date no order has been passed by the respondents on the petitioner's application. Hence, the present writ petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the third and fourth respondents to consider the petitioner's application dated 18.02.2022, within the time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents submits that already this Court by order dated 21.03.2022, directed the third respondent/Tahsildar to issue Patta in favour of the petitioner, in order to issue Patta, respondents prefer to measure the property. However, the petitioner did not allowed respondents to measure the property for issuance of Patta.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to pass appropriate orders on the petitioner's representation dated 18.02.2022, within a period of four weeks from the date of receipt of a copy of this order.



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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

tri/jd

To

1. The District Collector,
Tiruppur, Tiruppur District.
2. The Revenue Divisional Officer,
Udumalpet, Tiruppur District.
3. The Tahsildar,
Udumalpet, Tiruppur District.
4. The Head Surveyor,
Udumalpet, Tiruppur District.

+1cc to Mr.K.Myilsamy, Advocate, S.R.No.22826
+1cc to the Government Pleader, S.R.No.23415

W.P. No.6297 of 2022

NSK 19/04/2022