



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.1939 of 2022

R.Kalimuthuvel

... Petitioner

Vs.

The Tahsildar,
Tiruchirappalli West,
Bharathidasan Salai,
Cantonment,
Tiruchirappalli 620 001.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to make site inspection, survey the land comprised in Old S.F.Nos.126/1 and 113/2 situated at Innam Panjapur Village, Tiruchirappalli West Taluk, Tiruchirappalli District and sub-divide the said lands and issue separate patta in favour of the legal heirs of deceased Rengasamy Chettiar along with the legal heirs of deceased M.Chandra by considering the petitioner's representation dated 07.01.2022.

For Petitioner : Mr.Shangar Murali
For Respondent : Mr.M.Lingadurai
Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus, seeking for a direction to the respondent to make site inspection, survey the land comprised in Old S.F.Nos.126/1 and 113/2 situated at Innam Panjapur Village, Tiruchirappalli West Taluk, Tiruchirappalli District and sub-divide the said land and issue separate patta in favour of the legal heirs of the deceased Rengasamy Chettiar along with the legal heirs of the deceased M.Chandra by considering the petitioner's representation dated 07.01.2022 within a time frame to be fixed by this Court.

2. It is the case of the petitioner that the legal heirs of the deceased Rengasamy Chettiar and the legal heirs of the deceased M.Chandra are the absolute owners of the aforementioned property. The petitioner is also one of the legal heirs of the deceased Rengasamy Chettiar and the deceased M.Chandra. The petitioner has



submitted an application to the respondent on 07.01.2022 requesting the respondent to make site inspection, survey the land and issue separate patta in favour of the legal heirs of the deceased Rengasamy Chettiar and the deceased M.Chandra. The petitioner has also paid the necessary charges to the respondent. Since the said application has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.Shangar Murali, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondent.

4. The petitioner has filed documents before this Court along with the Writ Petition in support of his claim that the subject property is owned by the legal heirs of the deceased Rengasamy Chettiar and the deceased M.Chandra. The said documents will have to be considered by the respondent in the final orders to be passed by him pursuant to the directions given by this Court.

5. No prejudice would be caused to the respondent, if the petitioner's application seeking for issuance of patta is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the other necessary parties including the other legal heirs of the deceased Rengasamy Chettiar and the deceased M.Chandra.

6. Accordingly, this Court directs the respondent to consider the petitioner's application dated 07.01.2022 requesting the respondent to make site inspection to survey the land comprised in Old S.F.Nos.126/1 and 113/2 situated at Innam Panjapur Village, Tiruchirappalli West Taluk, Tiruchirappalli District and sub-divide the land and issue separate patta in favour of the legal heirs of the deceased Rengasamy Chettiar along with the legal heirs of the deceased M.Chandra and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the other legal heirs of the deceased Rengasamy Chettiar and the deceased M.Chandra and any other rival claimants, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

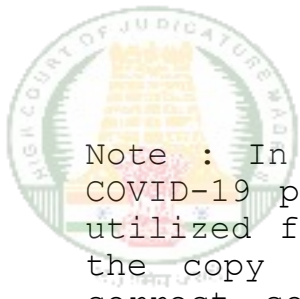
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/ /2022

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



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,
Tiruchirappalli West,
Bharathidasan Salai,
Cantonment,
Tiruchirappalli 620 001.

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-10261[F] dated 07/03/2022)

+1 CC to M/s.SPL GP (SR-10329[F] dated 07/03/2022)

**W.P. (MD) .No.1939 of 2022
04.03.2022**

KG(CO)
TR(18.03.2022) 3P 4C