



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3420 of 2022

P.Podhialagan @ Chinna Kalai

... Petitioner

Vs.

The Tahsildar,
Natham,
Dindigul District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to dispose of the online application submitted by the petitioner on 29.01.2022, requesting to make sub division of Survey No.93/3 in Reddiyapatti Village, Natham Taluk, Dindigul District in respect of the petitioner's share is concerned ie., western side 85-1/2 cents and issue separate patta in the name of the petitioner, within the time frame fixed by this Court.

For Petitioner : Mr.N.Rahamadullah
For Respondent : Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to pass orders on the petitioner's online application dated 29.01.2022, seeking for issuance of a sub-division patta in his name for the property comprised in Survey No.93/3 in Reddiyapatti Village, Natham Taluk, Dindigul District in respect of the petitioner's share ie., western side 85 ½ cents within a time frame to be fixed by this Court.

2.The petitioner has submitted an application seeking for sub-division of patta with the respondent on 29.01.2022 for the aforementioned property. Since the said application has not been considered till date he has filed this writ petition.

3.Heard Mr.N.Rahamadullah, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondent.

4.The petitioner has filed documents before this Court to show that he is the owner of the aforementioned property. He has submitted an online application on 29.01.2022 seeking for sub-division of the patta in his name for the aforementioned property.



He has also forwarded the said application by giving another representation on 09.02.2022.

5.No prejudice would be caused to the respondent if the petitioner's online application dated 29.01.2022 seeking for issuance of sub-division patta for the aforementioned property is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as other rival claimants, if any.

6.Accordingly, this Court directs the respondent to consider the petitioner's online application dated 29.01.2022 requesting for issuance of a sub-division patta in his name for the property comprised in Survey No.93/3 in Reddiyapatti Village, Natham Taluk, Dindigul District, in respect of the petitioner's share ie., western side 85 ½ cents and pass final orders on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner and other rival claimants if any within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Natham,
Dindigul District.

+1 CC to Mr.N.RAHAMADULLAH, Advocate (SR-8137[F] dated 23/02/2022)

+1 CC to M/s.SPL GP (SR-8364[F] dated 24/02/2022)

ORDER MADE IN

W.P.[MD]No.3420 of 2022

23.02.2022