



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3421 of 2022

WEB COPY

Sree Priya

... Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to sub-divide and to transfer patta in the name of the petitioner within time frame as to be fixed by this Court by considering the petitioner's online application in Can.No.133300115395663 and application No.2021/0105/30/205009 dated 21.10.2021 to second respondent.

For Petitioner : Mr.B.Micheal Sebastin

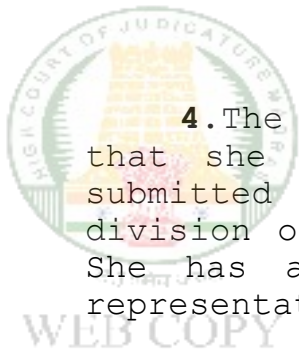
For Respondents : Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass orders on the petitioner's online application dated 21.10.2021, seeking for issuance of a sub-division patta in her name for the property comprised in Survey No.391-16A in Dharamapuram South Village, Dharamapuram Town Panchayat, Agasteeswaram Taluk, Kanyakumari District 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 21.10.2021 for the aforementioned property. Since the said application has not been considered till date, she has filed this writ petition.

3.Heard Mr.B.Micheal Sebastin, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.



4.The petitioner has filed documents before this Court to show that she is the owner of the aforementioned property. She has submitted an online application on 21.10.2021 seeking for sub-division of the patta in her name for the aforementioned property. She has also forwarded the said application by giving another representation on 24.01.2022.

5.No prejudice would be caused to the respondents if the petitioner's online application dated 21.10.2021 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 respondents to consider the petitioner's online application dated 21.10.2021 requesting for issuance of a sub-division patta in her name for the property comprised in Survey No.391-16A in Dharamapuram South Village, Dharamapuram Town Panchayat, Agasteeswaram Taluk, Kanyakumari District 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 (T&P)

// 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

1.The District Collector,
Nagercoil,
Kanyakumari District.



2.The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-8376[F] dated 24/02/2022)

+1 CC to M/s.B.MICHEAL SEBASTIN, Advocate (SR-8272[F] dated
24/02/2022)

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23.02.2022

RK(07/03/2022) 3P 5C