



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.4186 of 2022

Sevi

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Kulithalai,
Karur District.

3.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.

4.Murugan

5.Kulanthaivel

...Respondents

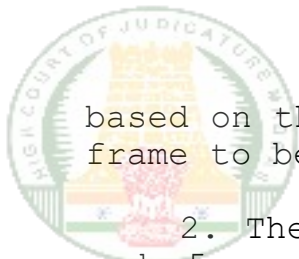
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to sub-divide and issue separate patta to the petitioner and respondents 4 and 5, for the properties bearing Survey Nos.535/1, 535/2 - Patta No.3735, an extent of 3 acres and 57 cents, situated at Vadaseri Revenue Village, Kulithalai Taluk, Karur District.

For Petitioner
For R-1 to R-3

: Mr.R.Murugappan
: Mr.M.Lingadurai
Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the third respondent to sub-divide and issue separate patta to the petitioner and the respondents 4 and 5 for the properties comprised in Survey Nos.535/1, 535/2 in Patta No.3735, measuring an extent of 3 acres and 57 cents, situated at Vadaseri Revenue Village, Kulithalai Taluk, Karur District and pass orders



based on the petitioner's application dated 17.12.2021 within a time frame to be fixed by this Court.

2. The case of the petitioner is that he and the respondents 4 and 5 are the owners of the aforementioned properties. The petitioner has submitted an online application with the official respondents seeking for sub-division and issuance of separate patta in the respective names of the petitioner and the respondents 4 and 5 on 17.12.2021. Since the application has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.R.Murugappan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4. No prejudice would be caused to the respondents, if the petitioner's application seeking for issuance of separate patta, after sub-division, in the name of the petitioner and the respondents 4 and 5 for the aforementioned properties, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 4 and 5 and any other necessary party, whom the third respondent deems fit to enquire.

5. For the foregoing reasons, this Court directs the third respondent to consider the petitioner's application dated 17.12.2021 seeking for sub-division and issuance of separate patta to the petitioner and the respondents 4 and 5 for the properties comprised in Survey Nos.535/1, 535/2 in Patta No.3735, measuring an extent of 3 acres and 57 cents, situated at Vadaseri Revenue Village, Kulithalai Taluk, Karur District and pass final orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the respondents 4 and 5 and any other necessary party, whom the third respondent deems fit to enquire.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar

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.

<https://hccs.judiciary.gov.in/hccs-portal>



To

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Kulithalai,
Karur District.

3.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.

+1 CC to M/s.SPL GP (SR-11503[F] dated 11/03/2022)

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-11022[F] dated 10/03/2022)

W.P. (MD) .No.4186 of 2022
09.03.2022

LM

MS/17.03.2022/3P.6C