



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6797 of 2022

K.S.Kannan

... Petitioner

/Vs./

The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to make sub-division in A.P.Survey No. 3/2 and to issue separate patta in the name of petitioner to an extent of acre 2 cents 22.60 at Thayilpatti Village, Sivakasi Taluk, Virudhunagar District.

For Petitioner : Mr.P.Thirumahilmaran
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 sub-division of the petitioner's land in A.P.Survey No.3/2, measuring to an extent of acre 2 cents 22.60 at Thayilpatti Village, Sivakasi Taluk, Virudhunagar District and to issue separate patta in his name for the aforementioned property, based on the petitioner's representation dated 18.03.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property having purchased the same under a sale deed dated 16.02.2022. The petitioner has given a representation to the respondent on 18.03.2022 for the aforesaid purpose. Since the said representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.P.Thirumahilmaran, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondent.

4.The petitioner has filed a copy of the sale deed along with this writ petition claiming ownership of the aforementioned property. It is for the respondent to consider the same, while considering the petitioner's representation. He seeks sub-division of the property and issuance of separate patta in his name and has given a representation on 18.03.2022 for the said purpose.



5.No prejudice would be caused to the respondent, if the representation of the petitioner dated 18.03.2022 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the rival claimants, if any.

6.For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation dated 18.03.2022 seeking sub-division of the petitioner's land in A.P.Survey No.3/2, measuring to an extent of acre 2 cents 22.60 at Thayilpatti Village, Sivakasi Taluk, Virudhunagar District and to issue separate patta in his name for the aforementioned property and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the 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 (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

+1 CC to M/s.P. THIRUMAHILMARAN, Advocate (SR-18284[F] dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18855[F] dated 13/04/2022)

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12.04.2022

RD(25.04.2022) 2P 4C