



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7592 of 2022

T.Saravanan

... Petitioner

/Vs./

- 1.The District Collector,
Theni District, Theni.
 - 2.The Sub Collector Cum Revenue Divisional Officer,
Periyakulam, Theni District.
 - 3.The Assistant Director,
District Land Survey Department,
Theni District, Theni.
 - 4.The Tahsildar,
Periyakulam Taluk,
Theni District.
 - 5.The Head Surveyor,
Periyakulam Taluk,
Tahsildar Office, Periyakulam,
Theni District.
 - 6.Vadaveera Naickanpatti Naidu Munnetra Sangam,
Represented by its President / Secretary,
Vadaveera Naickanpatti, Periyakulam Taluk,
Theni District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents Nos.1 to 5 to subdivide and measure the four boundaries in S.No.1417/1 to an extent of 15 Cents of land in Patta No.1707, Vadaveera Naickanpatti Village, Periyakulam Taluk, Theni District on the basis of the Patta, Sale deed and the representation of the petitioner dated 30.03.2022 and consequently, directing the respondents Nos.1 to 5 to issue separate patta stands in the name of the petitioner in the above said property.

For Petitioner : Mr.V.Thirumal
For R1 to R5 : Mr.D.Sasikumar,
Additional Government Pleader.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 5 to subdivide and measure the four boundaries for an extent of 15 cents of land, which forms part



of Patta No.1707, in S.No.1417/1, Vadaveera Naickanpatti Village, Periyakulam Taluk, Theni District and thereafter to issue separate patta in favour of the petitioner, based on the representation of the petitioner dated 30.03.2022, within a time frame to be fixed by this Court.

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2.The petitioner has produced documents along with this writ petition to claim that he is the owner of 15 cents of land in S.No.1417/1, Vadaveera Naickanpatti Village, Periyakulam Taluk, Theni District and a copy of the patta No.1707 for the larger extent of the aforementioned property has also been filed along with this writ petition. The petitioner claims that he has purchased 15 cents out of the larger extent of the aforementioned property and he seeks patta for the same. The petitioner has given a representation on 30.03.2022 to the official respondents for the said purpose.

3.Heard Mr.V.Thirumal, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 5.

4.No prejudice would be caused to the fourth respondent, if the representation of the petitioner dated 30.03.2022 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, sixth respondent as well as the rival claimants, if any.

5.Accordingly, this Court directs the fourth respondent to consider the petitioner's representation dated 30.03.2022 seeking for issuance of separate patta in his name for an extent of 15 cents of land, which forms part of Patta No.1707, in S.No.1417/1, Vadaveera Naickanpatti Village, Periyakulam Taluk, Theni District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, sixth respondent as well as the rival claimants, if any, including granting them the right of personal hearing, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The District Collector,
Theni District, Theni.

2.The Sub Collector Cum Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Assistant Director,
District Land Survey Department,
Theni District, Theni.

4.The Tahsildar,
Periyakulam Taluk,
Theni District.

5.The Head Surveyor,
Periyakulam Taluk,
Tahsildar Office, Periyakulam,
Theni District.

+1 CC to M/s.V. THIRUMAL, Advocate (SR-20245[F] dated 21/04/2022)

+1 CC to M/s.SPL.GP. (SR-20503[F] dated 22/04/2022)

W.P. [MD]No.7592 of 2022

Dated:

21.04.2022

RK(16/05/2022) 3P 8C