



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8122 of 2022

Thirumalaiachi

... Petitioner

Vs.

1.The District Collector,  
O/o. the District, Collector,  
Tenkasi District, Tenkasi.

2.The Revenue Divisional Officer,  
O/o. the Revenue Division Office,  
Tenkasi District.

3.The Tahsildar,  
Taluk Office,  
Kadayanallur Village,  
Tenkasi District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents to subdivide the petitioner's property comprised in Survey No.402/12 admeasuring 53 ½ cents in Joint Patta No.5185 situated at Chokkampatti Village, Kadayanallur Taluk, Tenkasi District, thereby issue separate patta in the petitioner's name based on the petitioner's representations dated 12.04.2021 and 03.05.2021 respectively submitted to the respondents.

For Petitioner

: Mr.K.Sankar

For Respondents

: Mr.D.Sasikumar

Additional Government Pleader

**O R D E R**

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This Writ Petition has been filed for a Mandamus seeking for a direction to the second and third respondents to subdivide the petitioner's property comprised in Survey No.402/12 admeasuring 53 ½ cents in Joint Patta No.5185 situated at Chokkampatti Village, Kadayanallur Taluk, Tenkasi District, and thereafter issue separate patta in the petitioner's name based on the petitioner's representations dated 12.04.2021 and 03.05.2021, within a time frame to be fixed by this Court.

2.The petitioner seeks for sub-division of the aforementioned property. The patta for the aforementioned property is a joint patta which includes the name of the petitioner. The petitioner has submitted representations dated 12.04.2021 and 03.05.2021 seeking for sub-division and for issuance of separate patta in her name. The petitioner has filed documents along with this writ petition to



substantiate her case that she is entitled for a separate patta in respect of the aforementioned property.

3.No prejudice would be caused to the second respondent, if the petitioner's representations dated 12.04.2021 and 03.05.2021 are considered on merits and in accordance with law after affording a fair hearing to the petitioner and the other patta holders in Patta Nos.5185 as well as any other party whom the second respondent deems fit to enquire. Since patta has already been issued, the representation of the petitioner dated 03.05.2021 can be treated as a statutory appeal filed by the petitioner aggrieved by the issuance of Patta No.5185.

4.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's statutory appeal dated 03.05.2021 within a period of three [3] months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and other patta holders whose names are found in Patta No.5185 and any other necessary party whom the second respondent deems fit to enquire.

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

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

- 1.The District Collector,  
O/o. the District, Collector,  
Tenkasi District, Tenkasi.
- 2.The Revenue Divisional Officer,  
O/o. the Revenue Division Office,  
Tenkasi District.
- 3.The Tahsildar,  
Taluk Office,  
Kadayanallur Village,  
Tenkasi District.

+1 CC to M/s.K. SANKAR, Advocate ( SR-21535[F] dated 27/04/2022 )

+1 CC to M/s.SPL.GP. ( SR-21897[F] dated 27/04/2022 )

**W.P. [MD]No.8122 of 2022**

**26.04.2022**

MGJ(23.05.2022) 2P 6C