



W.P.(MD)No.1339 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1339 of 2014

V.Sethuraja

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

2.The Thasildar,
Vilathikulam Taluk,
Vilathikulam.

3.R.Jeyachandiran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to implement the order of the first respondent in Na.Ka.B6/5922/08 dated 19.03.2010 and subdivide the property in S.No. 230/1, Vembar Village, Vilathikulam Taluk.



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For Petitioner : Mr.K.K.Senthil

For Respondents : Mr.N.Muthuvijayen
Special Government Pleader for R1&R2

No appearance for R3

ORDER

The present writ petition has been filed seeking for a Writ of Mandamus, directing the second respondent to implement the order of the first respondent, dated 19.03.2010 and sub-divide the property in Survey No.230/1, Vembar Village, Vilathikulam Taluk. Though the private respondent, namely, the third respondent has entered appearance through a Counsel, there is no appearance on the side of the third respondent on the last two occasions.

2. The petitioner suffered an order behind his back, in which, sub-divisions were effected by the order passed by the second respondent herein. The said order of the second respondent was challenged by the writ petitioner before the first respondent. By the order, dated



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19.03.2010, the first respondent has set aside the order passed by the second respondent herein and has further directed the second respondent to effect sub-divisions, based upon the registered documents. Though the said order has been passed on 19.03.2010, so far, the second respondent has not acted in compliance with the said order, the present writ petition has been filed. There are no records to the effect that the order of Revenue Divisional Officer, dated 19.03.2010, has been challenged by the third respondent herein. In such circumstances, the second respondent being a subordinate of the first respondent is duty bound to comply with the said order.

3. The second respondent is directed to implement the order of the first respondent, dated 19.03.2010 and sub-divide the property in Survey No.230/1, Vembar Village, Vilathikulam Taluk. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above said observations, this Writ Petition stand



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allowed. No costs.

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Index : Yes / No
Internet : Yes / No
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To

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Kovilpatti,
Tuticorin District.

2.The Thasildar,
Vilathikulam Taluk,
Vilathikulam.



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R.VIJAYAKUMAR ,J.

jbr

Order made in
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