



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21415 of 2022

Kannaiah

..Petitioner

Vs

1.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

2.Pitchai

3.Kalimuthu

4.Krishnan

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to sub-divide the land measuring an extent of 0.06.5 Ares comprised in S.No.399/16 situated at Elunootrimangalam Village, Avudaiyarkovil Taluk, Pudukkotai District and issue separate patta to the Petitioner by considering the Petitioner's representation, dated 20.08.2022.

For Petitioner :Mr.T.Lenin Kumar

For Respondent-1:Mr.A.Kannan
Additonal Govt.Pleader

For Respondent-3 :No appearance

**ORDER**

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The Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to sub-divide the land measuring an extent of 0.06.5 Ares comprised in S.No.399/16 situated at Elunootrimangalam Village, Avudaiyarkovil Taluk, Pudukkotai District and issue separate patta to the Petitioner by considering the Petitioner's representation, dated 20.08.2022.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the Petitioner is that the Petitioner's father Subban @ Subbaiah owned the prayer mentioned property and he is in absolute possession and enjoyment of the said property, without any hindrance and the first respondent, accepting the Petitioner's father's possession, had issued Manaivari patta in Patta No.187.The respondents 2 to 4 are the Petitioner's brothers. After the demise of the Petitioner's father, the said property devolved upon the Petitioner and respondents 2 to 4 and hence patta was mutated in their name and they have enjoyed the same by oral partition. Now the Petitioner has decided to partition the said property. In this regard, the Petitioner has submitted a representation on 20.8.2022 to the first respondent by paying the requisite fees. Since the same was



Petition for the relief stated supra.

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4.The learned Additional Government Pleader appearing for the first respondent would submit that the Petitioner's representation will be considered and appropriate orders will be passed, on merits and in accordance with law, within the time limit prescribed by this Court.

5.In view of the above submission, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the Petitioner, dated 20.08.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of sixteen weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of.
Nocosts.

28.11.2022

Index : Yes/No
Internet:Yes/No
vsn

To

The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN
W.P(MD)No.21415 of 2022

28.11.2022



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