



W.P.(MD)No.21771 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.21771 of 2022

1.Velanganni

2.Sekar

... Petitioners

Vs.

1.The Tahsildar,
Kulithalai Taluk,
Karur District.

2.The Taluk Surveyor,
Kulithalai Taluk,
Karur District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider petitioner's e-application dated 23.03.2022 and sub-divide and issue separate patta to the petitioners for S.No.584/2D, Rachandar Tirumalai Village, Kulithalai Taluk, Karur District.

For Petitioners : Mr.K.Prabhakar

For Respondents : Mr.K.Christy Theboral
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for issuance of Writ of

Mandamus, directing the respondents to consider the petitioners' e-application,



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dated 23.03.2022 and sub-divide and issue separate patta to the petitioners for S.No.584/2D, Rachandar Tirumalai Village, Kulithalai Taluk, Karur District.

2.The grievance of the petitioner is that the property in S.No.584/2D belonged to the father of the petitioners and patta was also stood in his name. After his demise, the petitioners became the owners of the property. Thereafter, the petitioners entered into partition among themselves through a registered document. Hence, they applied for separate patta through online on 23.03.2022. No action has been taken so far by the respondents herein. Hence, the petitioner has filed the present writ petition.

3.The learned counsel appearing for the petitioner would submit that it would suffice to issue direction to the respondents to consider the petitioner's application, dated 23.03.2022.

4.The learned Additional Government Pleader appearing for the respondents has produced the proceedings of the Tahildar, Kulithalai Taluk dated 02.11.2022. He submitted that on 21.07.2022, when the officials went to survey the property in S.No.584/2D, one Palaniammal W/o. Annavi, who is the adjacent land owner, has submitted an objection that the petitioners are having only 5.5 cents and others are belonged to her and also objected to



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survey the land. Hence, the petitioners and the said Palaniyammal were directed to to work out their remedy before the competent civil Court, since both the parties are having documents with regard to the same property and the same was agreed by both the parties. The petitioners were given joint patta in patta No.5252 and the same is recorded in the village register.

5.In view of the submission made by the learned Additional Government Pleader, this Court is of the view that nothing remains for further consideration in this matter, since the application of the petitioner has been considered and disposed by the respondents herein. The parties are directed to approach the competent civil Court and work out their remedy. Accordingly, this writ petition is disposed of. No costs.

03.11.2022

Index : Yes/No
Internet : Yes/No
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To

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Kulithalai Taluk,
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V.BHAVANI SUBBAROYAN, J.

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