



W.P(MD)No.14627 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.14627 of 2015

1.V.Veeraiyan

2.V.Sangaranarayanan

3.V.Muthukumar

... Petitioners

Vs.

1.The Tahsildar,
Papanasam Taluk Office,
Papanasam, Thanjavur District.

2.The Taluk Sub Inspector,
Land Survey Division,
Papanasam Taluk Office Campus,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the first respondent in Ref.No. 8403/2015 E1, dated 25.06.2015 and quash the same and further direct the respondents to measure the land and issue a separate patta to the



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petitioners in Survey No.235 and 290/3A, Puthur Village, Papanasam Taluk, Thanjavur District.

For Petitioners : Mr.K.Kumaravel

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which he has refused to grant separate patta in the name of the writ petitioners for Survey Nos.235 and 290/3A.

2. According to the petitioners, they are the owners and separate patta should have been issued by the first respondent herein.

3. Per contra, the learned Additional Government Pleader for the respondents submits that the lands in dispute are village community lands and joint patta is in the name of more than 30 persons. Hence, the first respondent had directed the parties to approach the competent Civil Court.



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4. According to the learned counsel for the petitioners, the opposite party has already filed O.S.No.79 of 2016 on the file of Judicial Magistrate cum District Munsif Court, Papanasam and the same is pending.

5. In view of the above disputed facts, this Court is not in a position to exercise its jurisdiction under Article 226 of the Constitution of India to grant separate patta in favour of the writ petitioners.

6. The present writ petition is closed with liberty to the writ petitioners to vindicate their grievances before the pending civil suit. No costs.

31.10.2022

Index : Yes / No
Internet : Yes / No
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To

- 1.The Tahsildar,
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R.VIJAYAKUMAR ,J.

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