



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 15.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22631 of 2022

M.Thangapandi

..Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Virudhunagar District.

2.The District Revenue Officer,
Office of the Revenue Officer,
Virudhunagar District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Virudhunagar District.

4.The Tahsildar,
Office of the Tahsildar,
Virudhunagar District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to issue separate patta in respect of 1 acre and 9 cents comprised in S.No.229/4 situated at Pavali Village, Virudhunagar Taluk, Virudhunagar District based on the Petitioner's representation, dated 13.09.2022.

For Petitioner :Ms.Manimegalai

For Respondents:Mr.D.Gandhiraj
1 to 4 Special Govt.Pleader

**ORDER**

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The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the respondents to issue separate patta in respect of 1 acre and 9 cents comprised in S.No.229/4 situated at Pavali Village, Virudhunagar Taluk, Virudhunagar District based on the Petitioner's representation dated 13.09.2022.

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 mother A.Muthulakshmi purchased three items Petition mentioned properties by way of registered sale deed, on the file of Joint Sub-Registrar-II, Virudhunagar District vide Doc.No.2306 of 2017.After the said purchase, they are in possession and enjoyment of the said properties and the patta also stand in the name of the Petitioner's mother, however, patta was not issued in favour of Petitioner's mother in respect of 1 acre and 9 cents for the prayer mentioned property stating that it requires sub-division.Due to age factor, the Petitioner's mother wants to settle the properties that was purchased by her in the name of the Petitioner.In this regard, the Petitioner sent a representation on 12.09.2022 to the respondents and the same was not considered till date.Hence the Petitioner has filed this



4.The learned Special Government Pleader appearing for the respondents 1 to 4 produced a memo of the fourth respondent, dated 6.10.2022, wherein, it is stated that as per the direction of the fourth respondent, the Firka Surveyor, Aamathoor had submitted a report stating that S.NO.22/4 measuring an extent of 1.32,00 ares Patta No.153 stands in the name of one Kondalu Naicker, son of Muthiah Naicker in the revenue accounts and in that as per the document No.2025/2022, in centre portion of S.No.229/4, an extent of 1 acre and 9 cents was purchased by way of settlement and there is no separate possession of the Petitioner in respect of the said land by demarcating and fencing and in respect of S.No.229/4 there is no connection with the Petitioner and the present Pattadhar. The memo would further state that if the Petitioner has produced relevant documents in respect of S.No.229/4 and documents regarding title and separate possession, the Petitioner's claim for issuance of separate patta would be considered and necessary orders will be passed.

5.In view of the above said submission and facts, the Petitioner is directed to produce relevant documents in respect of title and separate possession of the survey number in question to the fourth respondent and on such production, the said authority is directed to consider the same based on his representation, dated 13.09.2022 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 directions, the Writ Petition is disposed of. No costs.

15.11.2022

Index : Yes/No

Internet: Yes/No

vsn

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4. The Tahsildar,
Office of the Tahsildar,
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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN

W.P(MD)No.22631 of 2022

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