



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD)No.21175 of 2021

WEB COPY

Esakki Pandi

... Petitioner

Vs.

1.The Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli,
Tirunelveli District.

2.The Zonal Deputy Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to demarcate to my property comprised in old Survey No.332/7 and New Survey No.1067/11 situated at Kurichikulam, Naranammal Village Part - I, Tirunelveli Taluk, Tirunelveli District and consequently issue separate patta from joint patta No.839 to me on the basis of my online application vide No.2021/0105/29/182234 dated 29.09.2021.

(Prayer amended vide Court Order dated 14.12.2021 in W.M.P. (MD). No.18720 of 2021 in W.P. (MD).No.21175 of 2021).

For Petitioner : Mr.S.Sathya Chithambaram

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

Heard Mr.S.Sathya Chithambaram, learned counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader, who takes notice for the respondents.

2. This Writ Petition has been filed in the nature of Mandamus seeking a direction to demarcate the property in Old Survey No.332/7 and New Survey No.1067/11 at Kurichikulam, Naranammal Village Part - I, Tirunelveli Taluk, Tirunelveli District and thereafter, issue separate patta to the petitioner, Esakki Pandi over the Joint Patta No.839 in which the petitioner name is also found along with 24 other relatives. The petitioner



had given an online application on 29.09.2021. The petitioner had also paid necessary charges.

3. It is seen from the affidavit that the aforesaid land, originally belonged to the grandfather Pattathevar and thereafter a settlement deed was also executed and the joint patta was issued in the names of 25 individuals including the petitioner in Patta No.839 by the Zonal Deputy Tahsildar, Tirunelveli Taluk Office, Tirunelveli District. Now, the petitioner seeks separate patta.

4. The land will have to be necessarily demarcated and only thereafter patta can be granted. If the petitioner had not paid necessary fees for demarcation, then he may pay the necessary charges for demarcating the land. Thereafter, an obligation is placed on the first respondent to process further the application of the petitioner, issue notice to all the pattathars and thereafter proceed to demarcate the property if it is possible and if the petitioner rights are crystalized. If the demarcation is not possible, then an order in writing with reasons must be given by the first respondent. If it is possible, then it must be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. Let due process be followed by the first respondent.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli,
Tirunelveli District.



2.The Zonal Deputy Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli,
Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-339[F] dated 05/01/2022)

W.P (MD) No.21175 of 2021
04.01.2022

AP (19.01.2022) 3P 4C