



W.P.(MD)No.25365 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.25365 of 2022

Dharmaraj

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3.The Tahsildar,
V.K.Pudhur Taluk,
V.K.Pudhur,
Tenkasi 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 3rd respondent to implement the order of the 2nd respondent made in Oo.Mu.A4/3907/2022 dated 29.06.2022 in letter and spirit by subdividing the petitioner's land of an extent of 5 ½ cents out of the total extent of 2.36 acres comprised in Survey No.197/2 at Atchankuttan Village, V.K. Puthur Taluk, Tenkasi District and carry out necessary entries in online.



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For Petitioner : Mr.A.Balaji

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

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 3rd respondent to implement the order of the 2nd respondent made in Oo.Mu.A4/3907/2022, dated 29.06.2022 in letter and spirit by subdividing the petitioner's land to an extent of 5 ½ cents out of the total extent of 2.36 acres comprised in Survey No.197/2 at Atchankuttan Village, V.K. Puthur Taluk, Tenkasi District and carry out necessary entries in online.

2. The case of the petitioner is that he has made a representation dated 05.03.2022 to the District Collector, the first respondent herein to subdivide the land in Survey No.197/2 to an extent of 5 ½ cents out of the total extent of 2.36 acres situated at Atchankuttan Village, V.K. Puthur Taluk, Tenkasi District and issue patta in his favour. In response, the petitioner has received a communication dated 18.05.2022, from the first respondent stating that he will take action after getting necessary orders from the second respondent. As there was no action even after the communication dated 18.05.2022, the petitioner



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again made a representation to the second respondent on 20.06.2022. In turn, the second respondent has relegated the file to the third respondent for necessary action vide Oo.Mu.A4/3907/2022, dated 29.06.2022. Though the first respondent has forwarded the petitioner's file to the third respondent as early as 29.06.2022, he has not taken any action to subdivide the survey number and to make necessary entries in the online. Hence, the petitioner has filed the present writ petition.

3. Heard Mr.A.Balaji, learned counsel for the petitioner and Ms.K.Christy Theboral, learned Additional Government Pleader appearing for the respondents.

4. Considering the above facts, this Court, without expressing any opinion on the merits of the matter, directs the 3rd respondent to implement the order of the 2nd respondent made in Oo.Mu.A4/3907/2022, dated 29.06.2022, by subdividing the petitioner's land in Survey No.197/2 to an extent of 5 ½ cents out of the total extent of 2.36 acres situated at Atchankuttan Village, V.K. Puthur Taluk, Tenkasi District and carry out necessary entries in online, on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of eight weeks from the date of receipt of



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a copy of this order.

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5. With the above direction, this Writ Petition is disposed of. No costs.

09.11.2022

Index : Yes / No

Internet : Yes/ No

akv

To

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Tenkasi.

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Tenkasi District.

3.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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