



W.P.No.1459 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

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Sampath

... Petitioner

Versus

1.The District Collector,
Krishnagiri District.
Krishnagiri – 635 001.

2.The Assistant Director of Survey & Land Records,
Krishnagiri
Krishnagiri District.

3.The Tahsildar,
Shoolagiri Taluk,
Shoolagiri – 635 117,
Krishnagiri District.

4. The Taluk Surveyor,
Taluk Office,
Shoolagiri -635 117
Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 3 and 4 to effect sub-division of the petitioner's land measuring 09 cents, comprised in S.No.50/9, Chinnakudibala Village, Shoolagiri Taluk, Krishnagiri District and issue separate patta to the petitioner within the time that may be fixed by this Court.



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For Petitioner : Mr. P. Mani
For Respondents : Mr. P. Gurunathan,
Additional Government Pleader.

ORDER

Writ Petition is filed “simplicitor mandamus”, to direct the respondents 3 and 4 to effect the sub-division of the petitioner's land measuring 09 cents, comprised in S.No.50/9, Chinnakudibala Village, Shoolagiri Taluk, Krishnagiri District, and issue a separate Patta to him.

2. According to the petitioner, he purchased the land in S.No.50/9 admeasuring 0.09 acres at Chinnakudibala Village, Shoolagiri Taluk, Krishnagiri District, by a registered sale deed dated 05.10.2020 before the Sub-Registrar Office, Shoolagiri Taluk. With regard to the same, for subdividing the said land and for issuing Patta in his name, the petitioner made an application before the third respondent on 20.06.2022, for which, he also remitted the charges through the proper channel on 28.11.2022. Kept pending his application, again the petitioner submitted a representation dated 12.12.2022 before the first respondent to direct the third respondent for considering his request. Even that too was not consider



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for a long time, the petitioner was constrained to file this Writ Petition.

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3. The learned counsel for the petitioner submitted that the petitioner submitted an application dated 20.06.2022 to the third respondent and thereafter, made a representation before the first respondent. Thereafter, the petitioner remitted necessary charges for sub-division of his property vide challan No.20221128002288, dated 28.11.2022, so far, the respondents have not taken any steps to measure the property or sub-divide the property of the petitioner for issuing the Patta. Therefore, having no other option, the petitioner filed the present Writ Petition before this Court for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents submitted that the respondents will now consider the said representation for sub-division of the subject property and pass appropriate orders.

5. In view of the above submission made by the learned



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Additional Government Pleader, the respondents are directed to consider the application dated 20.06.2022 and the representation dated 12.12.2022 of the petitioner, after issuing due notice to the adjacent land owners of the petitioner's land, for the purpose of measuring the property in the presence of the parties and conduct an enquiry, in the manner known to law, if the said application of the petitioner and representation dated 12.12.2022, otherwise in order, and also consider the said application and representation and pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking order : Yes/No
Neutral Case Citation : Yes/No

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P. VELMURUGAN, J.

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