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W.P.(MD)NO.199 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.199 of 2023

Sinungaraj

... Petitioner

Vs.

1. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.

2. The Head Surveyor,
Musiri Taluk Office,
Musiri,
Trichy District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to subdivide the petitioner's properties in Survey Nos.769/1, 769/6, 769/7, 769/5 which is situated at Jambumadai Revenue Village, Musiri Taluk, Trichy district and in Survey No.6/2 which is situated at Oorakarai Revenue Village, Musiri Taluk, Trichy District and issue separate Patta in the petitioner's name based on his representation dated 02.09.2021.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.M.Lingadurai,
Special Government Pleader.

* * *

**ORDER**

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Heard the learned counsel on either side.

2. All that the petitioner wants is sub-division of the petition mentioned survey numbers and issuance of separate patta.

3. The learned Special Government Pleader on instructions states that the objection has been received from the petitioner's siblings. It appears that some of the properties have been settled in favour of the petitioner by his father are ancestral properties. It is further claimed by the respondents that the daughter may have a share in the same.

4. I do not want to go into the contentious aspects. When the petitioner gave the representation on 02.09.2021, the first respondent is obliged to consider the same and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



5. I make it clear that I have not gone into the merits of the matter. The first respondent shall put all the interested parties on notice before passing final order. It is for the first respondent to pass order one way or the other. If the outcome is in favour of the petitioner, it is open to him to take due process of law.

6. This writ petition stands disposed of. No costs.

31.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
2. The Head Surveyor,
Musiri Taluk Office,
Musiri,
Trichy District.



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G.R.SWAMINATHAN,J.

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