



W.P(MD).Nos.16616 and 16564 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **11.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P(MD).Nos.16616 and 16564 of 2023

Ranjith Singh ... Petitioner in W.P(MD).No.16616 of 2023

R.Ponraj ... Petitioner in W.P(MD).No.16564 of 2023

Vs.

1.The District Collector,
Office of the Collectorate,
Thoothukudi District.

2.The Revenue Divisional Officer,
Office of the Collectorate,
Thoothukudi District.

3.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

...Respondents in both petitions

PRAYER in W.P(MD).No.16616 of 2023: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to dispose the online application for sub-division and patta transfer vide No.133280123590477 and application



W.P(MD).Nos.16616 and 16564 of 2023

No.2023/0105/28/239014 dated 27.05.2023 within a stipulated time fixed by this Court.

PRAYER in W.P(MD).No.16564 of 2023: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to dispose the online application for sub-division and patta transfer vide No.133280122068753 and application No.2023/0105/28/220970 dated 06.02.2023 within a stipulated time fixed by this Court.

In both cases

For Petitioner : Mr.S.Muthumalai Raja

For Respondents : Mr.P.T.Thiraviam
Government Advocate

COMMON ORDER

These Writ Petitions have been filed seeking for a direction to the third respondent to dispose of the applications dated 06.02.2023 and 27.05.2023 filed by the petitioners for sub-division and issuing separate patta.



W.P(MD).Nos.16616 and 16564 of 2023

WEB COPY

2. The petitioners are brothers. A suit in O.S.No.239 of 2015 was filed by the petitioner in W.P(MD).No.16564 of 2023 for partition before the Principal District Munsif Court, Thoothukudi, against the petitioner in W.P(MD).No.16616 of 2023 and he has obtained ex-parte decree. Based on the said decree, the petitioners have approached the respondents for sub-division and grant of separate patta by way of applications dated 27.05.2023 and 06.02.2023. Since the applications of the petitioners have not been considered by the respondents, the petitioners are before this Court by filing the present writ petitions.

3. The learned Government Advocate appearing for the respondents, on instructions, submits that the decree has been obtained for Survey No.410/3 and it belongs to some other person. The concerned party has not been impleaded in the suit.

4. In view of the submission made by the learned Government Advocate appearing for the respondents, these Writ Petitions are dismissed, with a liberty to the petitioners either to file a fresh suit against the concerned party or to file a necessary application to amend



W.P(MD).Nos.16616 and 16564 of 2023

the decree. In any event, if any fresh application is filed, the Revenue Officials shall decide the issue independently after issuing notice to the parties concerned. There shall be no order as to costs.

11.07.2023

Index: Yes/No
Internet: Yes/No
ssb

To

- 1.The District Collector,
Office of the Collectorate,
Thoothukudi District.
- 2.The Revenue Divisional Officer,
Office of the Collectorate,
Thoothukudi District.
- 3.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.



WEB COPY



W.P(MD).Nos.16616 and 16564 of 2023

B.PUGALENDHI, J.

ssb

W.P(MD).Nos.16616 and 16564 of 2023

11.07.2023