



W.P.(MD)No.19486 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.19486 of 2020

R.Padmavathi,

... Petitioner

Vs

1. The Tahsildar,
Aathoor Tk, Dindigul District.

2. P.Murugan,
S/o. Perumal, Voc Colony, Melakottai,
Ambathurai Village, Athoor Tk,
Dindigul District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to conduct survey and sub-divide the portion of 1800 Sq.ft in Plot 21 of the Property bearing S.No. 127/1C in Ambathurai Village, Aathoor Tk, Dindigul Dt and issue separate patta to the petitioner in respect of the said land.

For Petitioner	:Mr.K.Jeyamohan
For Respondents	:Mr.R.Ragavendran for R1 Government Advocate Mr.R.Thangapandian for R2



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ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to subdivide the subject property and to issue separate patta in favour of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government for the 1st respondent and the learned counsel for the 2nd respondent.

3. The case of the petitioner is that he had purchased a plot bearing Plot No.21 through a registered sale deed dated 01.11.2004 measuring an extent of 1800 sq. ft. and this plot is situated in S.No.127/1C, which totally measures 0.87.0 hectares. The further case of the petitioner is that the second respondent owns the adjacent plot and there was some dispute between the petitioner and the 2nd respondent. In order to resolve the same, the petitioner wanted the subdivision of the survey numbers and for issuance of separate patta for the plot that was purchased by the petitioner. Since the representation given by the petitioner was not



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considered, the present writ petition has been filed before this court.

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4. When the matter was taken up for hearing, the learned counsel for the 2nd respondent submitted that the second respondent does not have any subsisting interest in this case, since the second respondent has already sold his plot.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 1st respondent to deal with the representation made by the petitioner on 06.11.2020 and take a decision with regard to the subdivision of the property and issuance of patta in favour of the petitioner within a period of eight weeks from the date of receipt of a copy of this order. The petitioner shall make a fresh representation to the first respondent along with all the relevant documents along with a copy of this order.



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The writ petition is disposed of with the above direction. No

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costs.

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NCC :Yes/No

Index :Yes/No

RR

To

1. The Tahsildar,
Aathoor Tk, Dindigul District.



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N.ANAND VENKATESH, J.

RR

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