



W.P(MD)No.28923 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28923 of 2022

and

W.M.P(MD)No.22906 of 2022

V.Murugan,
S/o.Vadivel Pillai,
Represented by Power holder,
Kanagavalli.

... Petitioner

Vs.

- 1.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 2.The Zonal Deputy Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 3.The Chief Surveyor,
Manamadurai Taluk,
Sivagangai District.
- 4.The Village Administrative Officer,
Vethiyarenthal Group,
Manamadurai Taluk,
Sivagangai District.
- 5.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.



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6.Panchavarnam

7.Saravanan

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 not to proceed with Sub division of the demised properties till the share in properties are allotted in partition suit filed by member of the family of petitioner and respondents 6 and 7 and pass such further or other orders as this Court.

For Petitioner : Mr.S.Natarajan
Senior Counsel
for M/s.Vijayakumari Natarajan

For R-1 to R-4 : Mr.M.Siddharthan
Additional Government Pleader

For R-5 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner and the learned Additional Government Pleader for the official respondents and the learned Counsel for the private respondents.

2. The writ petitioner Murugan is the son of the sixth respondent and brother of the seventh respondent. The property in question belonged to Vadivel Pillai, who is the father of the writ petitioner. The petitioner's father is no more. The specific stand of the petitioner is that the properties are yet to be



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partitioned among the legal heirs. His contention is that the authorities cannot sub divide the demised properties, unless the partition has taken place amongst to the legal heirs.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that unless all the parties submit an application jointly, they will not sub divide the properties straight away. From the afore-submission made by the learned Additional Government Pleader, the apprehension of the petitioner appears to be without any foundation. In any event, the submission of the learned Additional Government Pleader is recorded. This writ petition stands disposed of accordingly. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr



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G.R.SWAMINATHAN, J.

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