



WEB COPY

W.P. No.2466 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.2466 of 2024

P.Vijayakumar

... Petitioner

Vs.

The Tahsildar

Salem East

Taluk Office

Kanna Kurichi Main Road

Hasthampatti

Salem – 636 007

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of Mandamus directing the respondent to consider the petitioner's representation dated 06.12.2023.

For Petitioner : Mr.D.Gopinathan

For Respondents : Mr.A.Selvendran
Special Government Pleader

**ORDER**

This Writ Petition is filed seeking a writ of Mandamus directing the respondent to consider the petitioner's representation dated 06.12.2023 regarding issuance of separate Patta.

2. The learned counsel for the petitioner submitted that the property comprised in Old Survey No.19/3, New Survey No.19/3D, Nulathukombai Village, Salem Taluk, Salem East District, to an extent of 60½ cents was purchased by the petitioner's uncle K.Murugesan and subsequently he executed a registered settlement deed to in favour of his father and also in favour of the petitioner's grandfather. The petitioner's grandfather executed a registered Will dated 19.09.2013 in favour of the petitioner. The said property lies in the joint Patta No.80. After the demise of his grandfather, the petitioner became the absolute owner of the property. The petitioner made an application dated 06.12.2023 to the Revenue Divisional Officer for issuance of separate Patta for the above said 60½ cents after sub division of the same. Since he has not received any communication, he has filed the present Writ Petition before this Court.



3. Mr. A.Selvendran, learned Special Government Pleader who takes notice for the respondent submitted that as per the prevailing procedure, for Patta Transfer, issuance of Patta, issuance of Separate Patta or for Survey, the applications have to be made through online application and the requisite fees has to be through e-Challan and only thereafter, the application will be scrutinized and action would be taken and the status/orders would be uploaded in the website. But the petitioner has not made online application as contemplated under the prevailing procedure.

4. As stated by the learned Special Government Pleader, since the petitioner has not made the application through online, the petitioner is not entitled for the relief sought for.

5. Therefore, this Writ Petition is dismissed at the admission stage itself. No costs.

6. However, the petitioner is at liberty to make application through online with requisite fees as per the prevailing procedure and on receipt of the same, if the application is otherwise in order and the petitioner is otherwise eligible, the respondent may consider the same in the manner known to law



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and pass orders on merits and in accordance with law within the time as stipulated as prescribed in the circular No.R1/2005632/2022 dated 17.07.2023

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issued by the Commissioner of Land Administration.

05.02.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

The Tahsildar

Salem East

Taluk Office

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P.VELMURUGAN. J.

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