



WP.No.16081 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **24.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.16081 of 2024

V.Rajendiran

.. Petitioner

Versus

1. The Tahsildar, O/o.Tahsildar,
Karimangalam Taluk, Dharmapuri District.

2. The Assistant Director, Land Survey Section,
Collector Office, Dharmapuri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to dispose the petitioner application number 2022/ 0105 / 05 / 198794 dated 16.11.2022 for sub division and issue separate patta to petitioner.

For Petitioner : Mr.P.Settu

For Respondents : Mr.A.Selvendran
Special Government Pleader



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WEB COPY With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the respondents to dispose the petitioner application number 2022/ 0105 / 05 / 198794 dated 16.11.2022 for sub division and issue separate patta to petitioner.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. It is the case of the petitioner that the subject property has been allotted to the vendor of the petitioner through a registered partition deed and though he agreed to sell the property to the petitioner, he has not executed the sale deed in favour of the petitioner. Therefore, the petitioner filed a suit in O.S.No.267 of 2012 against his vendor, Balu @ Chinnasamy for specific performance and a decree has also been passed in favour of the petitioner in the said suit. Even after that, as the vendor has not executed the sale deed, the Sub Court, Palacode has executed a sale deed in favour of the petitioner.



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Based on the above sale deed, a joint patta has been issued to the petitioner.

Hence, the petitioner made a representation to the first respondent for issuance of separate patta to the petitioner. As the same has not been considered by the first respondent, the present Writ Petition has been filed.

5. Considering the limited relief sought for by the petitioner, the first respondent is directed to consider the representation of the petitioner dated 25.09.2023 and pass Orders on the same on merits and in accordance with law within a period of the two months from the date of receipt of a copy of this Order.

6. With the above direction, this writ petition is disposed of. No costs.

24.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,



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N. SATHISH KUMAR, J.

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