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W.P.No.14783 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.14783 of 2024

Vasanthi

...Petitioner

-Vs-

1.The District Collector,
O/o.District Collectorate,
Kuspa Kallakurichi,
Kallakuruchi Taluk,
Kallakuruchi District.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
District Collector Office,
Kuspa Kallakuruchi,
Kallakuruchi Taluk,
Kallakuruchi District.

3.The Revenue Tahsildar,
O/o. Tahsildar
Taluk Office,
Kallakuruchi Taluk,
Kallakuruchi District.

...Respondents

***As per the direction of this Court dated 10.06.2024 the third respondent's correct office location has been retyped as mentioned above.*

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the third respondent to issue the subdivision patta for the petitioner's



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land comprised in Old S.Nos.130/4 & 130/3 and New S.Nos.130/4A1A & 130/3A1 measuring to an extent of 110 Sq.ft and 55 Sq.ft respectively, which measure totally to an extent of 165 Sq.ft, situated at Neelamangalam Village, Kallakuruchi Taluk, Kallakuruchi District, based on the petitioner's application/representation dated 19.03.2024 within the time stipulated by this Court and pass such further orders.

For Petitioner : Mr.A.Kowsik Raghu Raja

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

Mr.P.Sathish, learned Additional Government Pleader takes notice on behalf of the respondents. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed for issuance of a Writ of Mandamus, directing the third respondent to issue the subdivision patta for the petitioner's land comprised in Old S.Nos.130/4 & 130/3 and New S.Nos.130/4A1A & 130/3A1 measuring to an extent of 110 Sq.ft and 55 Sq.ft respectively, which measure totally to an extent of 165 Sq.ft, situated at Neelamangalam Village, Kallakuruchi Taluk, Kallakuruchi District, based on the petitioner's application/representation dated 19.03.2024.



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3. The case of the petitioner is that land comprised in Old S.Nos.

130/4 & 130/3 and New S.Nos. 130/4A1A & 130/3A1 measuring to an extent of 110 Sq. ft and 55 Sq. ft respectively, which measure totally to an extent of 165 Sq.ft, situated at Neelamangalm Village, Kallakuruchi Taluk, Kallakuruchi District, was purchased by one Mrs. Fathimabee in and by a Sale Deed dated 14.11.1994 registered as Document No.8 of 1995 before the Joint SRO, Kallakuruchi. The said land was owned and possessed by one Mrs. Fathimabee without any interference from any quarters. Thereafter one Mrs. Fathimabee sold the above-said land to the petitioner vide Sale Deed dated 11.10.2023 registered as Document No.4714 of 2023 before the Joint SRO, Kallakuruchi, from onwards, the petitioner was in absolute possession and enjoyment of the same without any interference from any quarters.

4. Learned counsel for the petitioner submits that the petitioner made representation/application for subdivision of patta transfer on 19.03.2024 by remitting the requisite fees, but the said application was not considered by the respondents and he also made repeated physical representations to the third respondent for subdivision of patta transfer but all went in vain. Aggrieved by the same, the petitioner has approached this Court by way of filing this present writ petition.



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5. Learned counsel further submits that the third respondent's office location is wrongly mentioned in the writ petition as “The Revenue Tahsildar, O/o. Tahsildar, Taluk Office, Sankarapuram Taluk, Kallakuruchi District”. Instead of Sankarapuram Taluk, **“Kallakuruchi Taluk”** needs to be retyped. Hence, the learned counsel prays this Court to make necessary changes in the cause title as **“third respondent / The Revenue Tahsildar, O/o. Tahsildar, Taluk Office, Kallakuruchi Taluk, Kallakuruchi District”** in the present writ petition.

6. Heard both sides and perused the materials available on record.

7. **Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the third respondent to consider the petitioner's application/representation dated 19.03.2024 by conducting a detailed enquiry after giving notice to both parties, affording an opportunity of personal hearing to the petitioner as well as rival claimants/interested parties if any, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of**



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natural justice within a period of six weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observation and direction. No costs.

10.06.2024

cda

Index : Yes/No

Speaking/Non Speaking order

NOTE: Registry is directed to carry out necessary amendment in the cause title.

To

- 1.The District Collector,
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- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
District Collector Office,
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Kallakuruchi Taluk,
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