



WEB COPY



WP.No.17762 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.17762 of 2024

S.Balasubramanian

.. Petitioner

Versus

1. The Commissioner,
Office of the Commissionerate of Survey and Settlement,
Chepauk, Chennai – 600 005.
2. The District Collector, O/o.the Collectorate,
Namakkal District – 636 003.
3. The District Revenue Officer, O/o.the Collectorate,
Namakkal District – 636 003.
4. The Revenue Divisional Officer, Revenue Divisional Office,
Thiruchengode, Paramathi Road, Namakkal District – 637 211.
5. The Tahsildar, Padamudipalayam Taluk Office,
Paramathi Velur, Namakkal District – 638 182.
6. The Village Administrative Officer,
Thidumal T.Goundapalayam Village,
Namakkal District – 637 204.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to consider the petitioner's representation dated 21.03.2024 within stipulated period that may be fixed by this Court.



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For Petitioner : Mr.K.S.Vivekanandam

For Respondents : Mr.A.Selvendran,
Special Government Pleader

ORDER

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 third respondent to consider the representation of the petitioner dated 21.03.2024 within stipulated period that may be fixed by this Court.

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 one Senthil agreed to sell 0.44 cents of agricultural land to the petitioner and then he refused after entering into a sale agreement. Therefore, the petitioner filed a suit in O.S.No.94 of 2022 against the said Senthil for specific performance before the



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District Munsif, Paramathi and as per the decree of the Court, the sale deed has been executed. The grievance of the petitioner is that though he has made a representation to the respondents to club all the subdivision in T.Goundapalayam Village Survey No.174 to avoid disputes and sub divide the properties as per their documents and issue patta as per new subdivision, the respondents have not taken any action till date. Hence, the present Writ Petition.

5. At the outset, this Court is of the view that as the petitioner is said to have purchased the property as per the Specific Performance decree passed in O.S.No.94 of 2022, let the petitioner first apply for subdivision on the basis of the sale deed before the authorities by paying necessary fees. On such application being made, the let the authorities consider for subdivision of the property after issuing notice to all pattadhars and sub divide the property as per law.

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

08:07.2024



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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.

vrc

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