



W.P.No.33468 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.33468 of 2024

P.Mani

... Petitioner

Vs.

1. The District Collector,
Villupuram,
Villupuram District.

2. The Tahsildar,
Revenue Department,
Melmalaiyanur Taluk,
Villupuram District.

3. The Land Surveyor,
Survey Department,
Melmalaiyanur Taluk,
Villupuram,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the respondents to issue Sub Divisional patta in favour of the petitioner in respect of property in Survey No. 2-3, 3-1A, 3-1A2, situated at Melmalaiyanur Taluk, Thayanur Chinthipet Village, Villupuram District by passing orders on the petitioner's representation dated 20.01.2023.



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For Petitioner : Mr.N.Edwin Jeyakumar
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of the Respondents.

2. Since the request made by the Petitioner vide representation dated 20.01.2023 for issue of the Sub Divisional Patta has not been disposed of, the Petitioner has approached this Court seeking a Mandamus to the Respondents to issue Sub Divisional patta in favour of the Petitioner.

3. The learned counsel for the Petitioner would submit that the Petitioner had purchased an extent of 1.21 cents of land comprised in Survey Nos.2-3, 3-1A, 3-1A2 situated at Melmalaiyanur Taluk, Thayanur Chinthipet Village, Villupuram District under a registered Sale Deed from one Pachai Gounder *alias* Pachaiappan in the year 2017. The Petitioner had therefore, requested the Respondents vide his representation dated 25.01.2023 to sub-divide the property and grant patta to him. Despite the fact that the Respondents had received the representation and the original owner had been



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allotted Patta No.1931, the Respondents who are bound to transfer the Patta has failed to discharge their statutory duty. Therefore the Writ Petition.

4. Heard the learned counsel on either side.

5. The Petitioner's vendor was allotted Patta No.1931 and on his purchase the Petitioner has sought for transfer of Patta after subdividing the property. This application has been made as early as on 20.01.2023 and to date there has been no enquiry or even a notice issued by the Respondents. The Respondents have failed to discharge the statutory duty caused upon them. Therefore, the Writ Petition is allowed and a Mandamus is issued to the Respondents to consider the representation of the Petitioner dated 20.01.2023 and pass appropriate orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order. In case of a rejectoin, the Tahsildar shall pass a speaking order. No costs.

19.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm

P.T.ASHA, J.



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rgm

To

1. The District Collector,
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Villupuram District.
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Villupuram District.
3. The Land Surveyor,
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