



WEB COPY



WP.No.33440 of 2024

In the High Court of Judicature at Madras

Dated : 20.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.33440 of 2024

M.Sagunthala

Vs

...Petitioner

1.The District Collector, Coimbatore District.

2.The District Revenue Officer, Coimbatore District.

3.The Revenue Divisional Officer, Coimbatore North Division, Coimbatore District.

4.The Tahsildar, Annur Taluk, Annur, Coimbatore District.

5.The Taluk Head Surveyor, Annur Taluk, Annur, Coimbatore District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to take action to dispose of the petitioner's representation dated 23.9.2024 submitted with regard to survey the agriculture land properties of an extent of hectares 0.99.0 (Acre 2.45 cents) comprised in Survey No.138/2, an extent of one part of hectares



WP.No.33440 of 2024

0.82.0 (Acre 2.02 cents) comprised in S.139/ 3 vide respective patta No.2042, in total an extent of Hectares 1.81.0 (Acres 4.47 cents) situated at Ambothi Village, Annur TALuk, Coimbatore District within Registration district of Gobichettipalayam and Sub-Registration District of Punjai Puliampatti. I have derived the above said property through a registered settlement deed dated 30.3.2012 in document No.2467 of 2012 registered at the Office of the Sub-Registrar, Punjai Puliampatti by making proper sub-division.

For Petitioner : Mr.V.Logeswaren
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the respondents to consider her online application dated 23.9.2024 for sub-division of the agriculture properties of an extent of hectares 0.99.0 (Acre 2.45 cents) comprised in Survey No.138/2 and an extent of one part of hectares 0.82.0 (Acre 2.02 cents) comprised in S.139/3 vide respective patta No.2042, in total an extent of Hectares 1.81.0 (Acres 4.47 cents) situated at Ambothi Village, Annur TALuk, Coimbatore District within Registration district of Gobichettipalayam and Sub-Registration District of Punjai Puliampatti and for the transfer of patta, the petitioner is before this Court.



WP.No.33440 of 2024

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The petitioner would contend that she acquired the said property under a settlement deed dated 30.3.2012 vide document No.2467 of 2012 registered at the Office of the Sub-Registrar, Punjai Puliampatti. For subdividing the said property and for the transfer of patta, the petitioner had made an online application on 23.9.2024. She also paid the necessary fees. Despite the fact that the application was received even on the same date, the fourth respondent has not taken any steps to survey and subdivide the land and for the transfer of patta.

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner acquired the property by way of a registered settlement deed, she requested the fourth respondent to survey and subdivide the land and for the transfer of patta. However, it did not evoke any response. Hence the writ petition.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the fourth respondent



WP.No.33440 of 2024

to consider the online application of the petitioner dated 23.9.2024 for conducting a survey, for subdivision and for the transfer of patta. The petitioner shall submit all the relevant records before the fourth respondent to show her title to the said property and the fourth respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the said property and transferring the patta or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

20.11.2024

To

- 1.The District Collector, Coimbatore District.
- 2.The District Revenue Officer, Coimbatore District.
- 3.The Revenue Divisional Officer, Coimbatore North Division, Coimbatore District.
- 4.The Tahsildar, Annur Taluk, Annur, Coimbatore District.
- 5.The Taluk Head Surveyor, Annur Taluk, Annur, Coimbatore District.



WEB COPY



WP.No.33440 of 2024

P.T.ASHA,J

RS

WP.No.33440 of 2024

20.11.2024