



WEB COPY



W.P.No.34812 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.34812 of 2019

M.Panchamirtham

...Petitioner

-Vs-

1.The District Collector,
Tiruvarur District,
Tiruvarur.

2.The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.

3.The Tahsildar,
Thiruvarur,
Thiruvarur District.

4.P.Anandan

...Respondents

*** R4 impleaded as per order dated 03.02.2020 made in
W.M.P.No.2642 of 2020 in W.P.No.34812 of 2019 by PDAJ*

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 respondents herein to consider and pass orders on the petitioner's application dated 13.05.2018 submitted to effect separate patta



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for the petitioner's land comprised in Survey No.283/2 measuring an extent of 31 acres situated at Radhananjai Village, Thirukaravasal, Komal Post, Thiruvarur Taluk, Thiruvarur District and pass such further orders.

For Petitioner : Mr.S.Nagarajan
For R1 to R3 : Mrs.R.L.Karthika
Government Advocate
For R4 : No appearance

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's application dated 13.05.2018 submitted to effect separate patta for the petitioner's land comprised in Survey No.283/2 measuring an extent of 31 acres situated at Radhananjai Village, Thirukaravasal, Komal Post, Thiruvarur Taluk, Thiruvarur District.

2. The facts of the case in a nutshell:-

2.1 The petitioner is the absolute owner of the property namely, wet land comprised in Survey number 283/2 measuring an extent of 31 acres situated at Radhananjai Village, Thirukaravasal, Komal Post, Thiruvarur Taluk, Thiruvarur District, having purchased the same from one



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R.Pandarinathan residing at Uthirangudi Village, Pangal, Thirukkuvalai Taluk, Nagapattinam District for valuable consideration by way of registered sale deed dated 26.08.2010 registered as document No.5022 of 2010 at the office of the Sub-Registrar, Thiruvarur. The petitioner was in possession and enjoyment of the said property by paying necessary tax and gist to the authorities concerned. Since the patta for the said land is joint one, the petitioner applied for separate patta on 13.05.2019 through online to the third respondent herein in the prescribed format with necessary particulars as prescribed in this regard by sub-dividing the land, but so far no action has been taken by the third respondent herein to effect separate patta in favour of the petitioner as requested. Aggrieved by the same, the petitioner has filed this present writ petition.

3. Learned counsel for the petitioner submitted that the petitioner made representation on 30.08.2019 to all the respondents requesting to subdivide the land by effecting patta transfer in his name by reminding them of the proper application made on 13.05.2019 to the third respondent herein and till date, his request has not been considered.



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4. Learned Government Advocate appearing for respondents 1 to 3

submitted that the petitioner's application dated 13.05.2018 would be considered on merits and in accordance with law by the Authority concerned.

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

6. Taking into consideration the above factual aspects of the matter, this Court without going into the merits of the case, directs the third respondent / The Tahsildar, Thiruvarur, Thiruvarur District, to conduct a detailed enquiry and dispose of the petitioner's application dated 13.05.2018 after giving due 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 natural justice within a period of six weeks from the date of receipt of a copy of this order.



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In the result, the **writ petition stands disposed of with the above**

observation and direction. No costs.

20.06.2024

cda

Index : Yes/No

Speaking/Non Speaking order

To

1.The District Collector,
Tiruvarur District,
Tiruvarur.

2.The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.

3.The Tahsildar,
Thiruvarur,
Thiruvarur District.

J.SATHYA NARAYANA PRASAD, J.



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