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WP.No.36996 of 2024

In the High Court of Judicature at Madras

Dated : 11.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36996 of 2024

Sivakumar

...Petitioner

Vs

1.The District Collector,
Villupuram District.

2.The Tahsildar,
Kandachepuram,
Villupuram.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the application seeking for sub divisional patta transfer submitted by the petitioner in application No.2023/0105/07/443745 dated 10.1.2023.

For Petitioner : Ms.R.Poornima
For Respondents : Mr.S.Jayachandran, GA

ORDER

Seeking a Mandamus to the second respondent to consider his application dated 10.1.2023 for the grant of a sub divisional patta in respect of the lands in S.No.9/3 measuring 0.82.0 Ares, S.No.9/4A measuring 1 hectare 74.40 Ares, S.No.9/9 measuring 0.094.0 Ares,



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S.No.63/7D measuring 0.06.00 Ares, S.No.29/1A measuring 0.74.0 Ares, S.No.61/8 measuring 0.77 Ares, S.No.29/1C measuring 0.09.50 Ares, S.No.61/6 measuring 0.14.0 Ares, S.No.61/14 measuring 0.26.0 Ares, S.No.10/4 measuring 1 hectare .05 Ares and S.No.61/16 measuring 0.85.50 Ares situate at V.Pudhupalayam Village, Kandachipuram, Aragandanallur, Villupuram, the petitioner is before this Court.

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

3. The petitioner would contend that he acquired the said properties by way of sale deeds (i) dated 10.9.2008 registered as doc.No.3139 of 2008; (ii) dated 12.3.2009 registered as doc.No.1158 of 2009, (iii) dated 31.8.2009 registered as doc.No.4432 of 2009, (iv) dated 05.10.2009 registered as doc.No.5024 of 2009, (v) dated 31.12.2009 registered as doc.No.6504 of 2009 and (vi) dated 23.5.2011 registered as doc.No.2510 of 2011, all on the file of the Sub-Registrar, Aragandanallur, for a valid consideration. In order to develop the said properties and to form a layout, the petitioner made on online application 10.1.2023 to the first respondent seeking to issue a sub-divisional patta. He also sent a notice dated 29.7.2024 to the respondents with a copy to the District Collector, Villupuram, the District Registrar, Villupuram and the Revenue Divisional Officer,



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Villupuram requesting to consider his online application dated 10.1.2023. As no action has been taken on that, the writ petition has been filed.

4. The fact that the said properties belong to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioners purchased the said properties, he requested the first respondent to issue a sub-divisional patta.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to consider the online application of the petitioner dated 10.1.2023 to issue a sub-divisional patta in respect of the said properties. The petitioner shall submit all the relevant records to show his title to the said properties and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either subdividing the said properties and issuing a patta or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

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P.T.ASHA,J

RS

To

1.The District Collector,
Villupuram District.

2.The Tahsildar,
Kandachepuram,
Villupuram.

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