



W.P.(MD)No.635 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.635 of 2024

Ramanathan

... Petitioner

Vs

The Tahsildar,
Devakottai,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to consider the request of the petitioner, dated 22.11.2023 and 03.01.2024 for sub-division and for grant of individual Patta for the lands in survey number 11/14 A, Nagamathi Village, Devakottai Taluk, Sivagangai District and mutate the revenue records.

For Petitioner	: Mr.V.R.Shanmuganathan
For Respondent	: Mrs.K.Christy Theboral Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent herein to consider the request of the petitioner, dated 22.11.2023 and 03.01.2024 for sub-division and for grant of individual Patta for the lands



W.P.(MD)No.635 of 2024

in survey number 11/14 A, Nagamathi Village, Devakottai Taluk, Sivagangai

District and mutate the revenue records.

2. By consent, this writ petition is disposed of at the admission itself.

3. Heard Mr.V.R.Shanmuganathan, learned counsel appearing for the petitioner, Mrs.K.Christy Theboral, learned Additional Government Pleader appearing for the respondent.

4. According to the petitioner, the lands in survey number 11/14 A measuring 1.81.45 hectares, Nagamathi Village, Devakottai Taluk, Sivagangai District belonged to the petitioner's grandfather namely Subbiah Servai, son of Periathambi Servai. The said Subbiah Servai had two sons namely, Karuppiah and Ulaganathan and a daughter Karupayee @ Nithyakalyani. The said Subbiah had executed a registered Will on 07.03.2014 as Document No.13/B3/2014 bequeathing the above properties and all his other properties in favour of his three grandsons. The above said lands stand in the name of their grand-father Subbiah in the revenue records till date. Now the petitioner is aged about 44 years. Now, the petitioner wants to sub-divide the said lands and getting an individual patta in his name. In this regard, the petitioner had sent a



W.P.(MD)No.635 of 2024

representation on 22.11.2023 and on 03.01.2024. Since, the respondent did not take any action, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned Additional Government Pleader appearing for the respondent would submit that the Tahsildar had given an instruction that they will consider the request of the petitioner and pass appropriate orders within a period of four weeks.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondent to consider the petitioner's representation dated 22.11.2023 and 03.01.2024 after giving notice and affording an opportunity to the parties concerned and pass orders on merits and in accordance with law on or before 29.01.2024.

7. Accordingly, this writ petition is disposed of. No costs.

11.01.2024

Index : Yes/No

Internet: Yes/No

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Note: Issue Order copy on 19.01.2024



W.P.(MD)No.635 of 2024

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To

The Tahsildar,
Devakottai,
Sivagangai District.



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W.P.(MD)No.635 of 2024

V.BHAVANI SUBBAROYAN, J.

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W.P(MD)No.635 of 2024

11.01.2024