



WP.(MD).No.3604 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3604 of 2024

P.Selvarajan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Tahsildar, Madurai South Taluk, Madurai District, the second respondent herein, to pass suitable orders to effect proper sub-division in respect of the lands to an extent of about 551 ½ sq. ft, comprised in Re-survey No.351/3Bi, Avaniyapuram Village, Madurai South Taluk and to issue a separate patta for the said lands in the name of the petitioner, thereby processing the application of the petitioner dated 27.10.2023.

For Petitioner
For Respondents

: Mr.G.Aravinthan
: Mr.D.Gandiraj
Special Government Pleader



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ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the second respondent herein to pass suitable orders to effect proper sub-division in respect of the lands to an extent of about 551 ½ sq. ft, comprised in Re-survey No. 351/3Bi, Avaniyapuram Village, Madurai South Taluk and to issue a separate patta for the said lands in the name of the petitioner, thereby processing the application of the petitioner dated 27.10.2023.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

A large extent of lands comprised in Re survey No.351/3, Avaniyapuram Village, Madurai South Taluk and Madurai District was originally belonged to one K.R.Sakunthala. On 26.03.1981, 10 cents in Re survey No.351/3 of Avaniyapuram Village was sold by K.R.Sakunthala to one Govindan and Manonmani. The said



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Govindan through his power of attorney one Jothikumar executed a sale deed in favour of the petitioner with respect to a house plot to an extent of about 551 ½ sq. feet land which forms part of 10 cents of land. From the date of purchase, the said property is in the possession and enjoyment of the petitioner and he also owned the adjacent land situated in Survey No.351/3A in Avaniyapuram Village on the west of the said land. Mutation has been effected with respect to the said land. Joint patta stand in the name of the petitioner and Manonmani. On 27.10.2023, the petitioner applied seeking for sub division of his land in revenue record to the second respondent and also transfer of patta through online portal and the same was not considered. Hence, this Writ Petition came to be filed.

4.Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents and carefully perused the entire materials available on record.

5.Considering the complex nature of the property involved in the present case, this Court hereby direct the respondents to consider the application of the petitioner dated 27.10.2023, after



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giving notice to all the pattadors and pass appropriate orders in accordance with law within a period of 12 weeks from the date of receipt of copy of this order.

6.In view of the above, this Writ Petition stands disposed of.

There shall be no order as to costs.

16.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai South Taluk,
Madurai District.



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L.VICTORIA GOWRI, J.

Mrn

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