



W.P.(MD)No.15109 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.15109 of 2021

A.Ramachandran

: Petitioner

Vs.

- 1.The District Collector,
Tiruchirappalli District,
Collectorate Buildings,
Tiruchirappalli 620 001.
- 2.The District Revenue Officer,
Tiruchirappalli District,
Collectorate Buildings,
Tiruchirappalli 620 001.
- 3.The Revenue Divisional Officer,
Srirangam Zone,
Muthukulam, Tiruchirappalli District.
- 4.The Tahsildar,
Marungapuri,
Thasidar's office, Marungapuri,
Tiruchirappalli District.

: Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate enquiry upon the



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representation/application of the petitioner, dated 19.06.2021 and direct them to subdivide the property of the petitioner viz., an extent of 0.28.5 Ares which is presently subdivided as Survey No.67/2B in Karaipatty Village, Marungapuri Taluk, Tiruchirappalli District and to issue separate patta for the same in favour of the petitioner within the time frame to be fixed by this Court.

For Petitioner : Mr.K.S.Kathiravan

For Respondents : Mr.S.R.A.Ramachandran,
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate enquiry upon the representation/application of the petitioner, dated 19.06.2021 and direct them to subdivide the property of the petitioner, which is presently subdivided as Survey No.67/2B in Karaipatty Village, Marungapuri Taluk, Tiruchirappalli District and to issue separate patta for the same in favour of the petitioner within the time frame to be fixed by this Court.

2. The case of the revision petitioner is that when the petitioner was a minor, his father has purchased the property in S.No.67/2 an extent



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of 0.56.5 Ares at Karaipatty Village, Marungapuri Taluk, Tiruchirappalli District in the name of the petitioner; that the petitioner after becoming major has settled a portion of the property in favour of his step-mother, namely Lakshmi Ammal vide settlement deed dated 16.09.1999 and that when the sub division was applied, the fourth respondent has subdivided the lands as S.No.67/2A and S.No.67/2B; that separate for S.No.67/2A was given in the name of Lakshmi Ammal/step-mother of the petitioner and that the patta in respect of the remaining land subdivided as S.No.67/2 B was given in the name of Dhanasekar, brother of the present petitioner without any sort of enquiry.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the revision petitioner has not impleaded his brother, in whose name the subdivided portion in S.No.67/2B stands, as a party to the present proceedings and that since there was no enquiry before passing the impugned order, the fourth respondent may be directed to conduct proper enquiry by also giving notice to all the parties, including the petitioner's brother.



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4. Considering the facts and circumstances of the case and also taking note of the submissions made by the learned counsel on either side, the petitioner is directed to give a fresh representation to the fourth respondent and on receipt of such representation, the fourth respondent is directed to issue notice to all the parties concerned, including the brother of the revision petitioner, to conduct enquiry and pass orders in accordance with law within a period of 12 weeks from the date of receipt of representation of the petitioner.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

19.02.2024

NCC :yes/No
Index :yes/No
Internet :yes/No
das



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- 4.The Tahsildar,
Marungapuri,
Thasidar's office, Marungapuri,
Tiruchirappalli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
W.P.(MD)No.15109 of 2021

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