



W.P.(MD)No.26806 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.26806 of 2024

Tamilselvan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

3.The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to sub-divide the properties in Survey No.124/6A, 6B, 6C to the extent respectively as 0.05.5 Ares, 0.02.5 Ares and 0.02.5 Ares situated at Athambai North Village, Pattukottai Taluk, Thanjavur District by considering the petitioner's application dated 28.06.2024 in E-Challan Number 20240628014574 within the stipulated time as framed by this Court.



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For Petitioner : Mr.P.Balamurugan
For R1 & R2 : Mr.M.Muthumanikkam
Government Advocate
For R3 : Mr.K.Gana Sekaran
Government Advocate (Criminal Side)

ORDER

This writ petition has been filed for a direction to the second respondent to sub-divide the properties in Survey No.124/6A, 6B, 6C to the extent of 0.05.5 Ares, 0.02.5 Ares and 0.02.5 Ares respectively at Athambai North Village, Pattukottai Taluk, Thanjavur District by considering the petitioner's application dated 28.06.2024.

2. The petitioner purchased the property in S.No.134/6 to an extent of 54 kuzhi (71 cents) at Athambai North Village, Pattukottai Taluk, Thanjavur District under registered sale deed, dated 25.09.1933. The petitioner's father's vendor sold the remaining extent of 24 kuzhi in S.No.124/6 to one Silamban Samban through sale deed vide Document No.1192/1933. Hence, joint patta in Patta No.607 was issued in the names of the petitioner's father and co-owner. The petitioner's father died on 25.07.1984 and thereafter, the property devolved on the petitioner and his brothers. After UDR scheme, the said survey number



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was sub divided as S.No. 124/6A, 6B, 6C. As per UDR, the extent in S.No. 124/6A, 6B, 6C fell within the total extent of 54 kuzhi purchased by the petitioner's father. Therefore, the petitioner made an application to conduct survey and fix boundaries. The petitioner's application was entertained and survey was conducted on 26.05.2024. Thereafter, the petitioner submitted an application on 28.06.2024 to sub divide the property in S.No. 124/6A, 6B, 6C and the petitioner paid the necessary charges for the same. As the petitioner's application was not considered till date, the petitioner filed the writ petition for the aforesaid relief.

3. It is seen that as the petitioner's application, dated 28.06.2024 was not processed, the petitioner submitted a representation to the second respondent on 15.10.2024 to survey the lands in S.No. 124/6A, 6B, 6C as per Document No. 1186/1933, sub divide the lands and further rectify the FMB sketch. It is seen that inspite of the petitioner's said representation, no action was taken by the respondents. I am therefore inclined to issue a direction to the second respondent to consider the petitioner's representation, dated 15.10.2024 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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4. Accordingly, the writ petition stands disposed of. No costs.

11.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
SN

To:

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.
- 3.The Inspector of Police,
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N.MALA, J.

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