



W.P.No.34456 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.09.2025

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CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.34456 of 2025

1.H.Jaganathan

2.H.Sampath

... Petitioners

Vs.

The Tahsildar,
Chengam Taluk,
Chengam,
Tiruvanamalai District.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider and dispose of the application No.2025/0105/06/618661 dated 05.08.2025 with regard to depute the Head Surveyor to demarcate the boundaries of the lands for Sub Divisional Patta Transfer in respect of 1/3rd of the extent of Ayan Punja lands in S.No.31/1C, 46/3F, 54/1B, 54/1F, 54/3b, 67/7, 68/2 A and 31/2 in Periyaklapalli Village, Chengam Taluk, Tiruvanamalai District.

For Petitioners : Mr.J.Muthukumaran



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For Respondent : Mr.C.Jayaprakash,
Government Advocate

ORDER

The relief sought for in this writ petition is to direct the respondents to consider and dispose of the application No.2025/0105/06/618661 dated 05.08.2025 with regard to deputing the Head Surveyor to demarcate the boundaries of the lands for Sub Divisional Patta Transfer in respect of 1/3rd of the extent of Ayan Punja lands in S.No.31/1C, 46/3F, 54/1B, 54/1F, 54/3b, 67/7, 68/2A and 31/2 in Periyaklapalli Village, Chengam Taluk, Tiruvanamalai District.

2. Mr.C.Jayaprakash, learned Government Advocate, takes notice on behalf of the respondent. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

3. Learned counsel for the petitioners submitted that the petitioners' mother, Mrs.Alamedu, filed a suit for partition in O.S.No.93/2022 before the Sub-Court, Chengam, in respect of 31/1C, 46/3F, 54/1B, 54/1F, 54/3b, 67/7, 68/2A and 31/2 in Periyaklapalli



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Village, Chengam Taluk, Tiruvanamalai District, wherein a decree and

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judgment was passed on 21.04.2024, declaring that the petitioners' mother is entitled to 1/3rd share in the said property. As per the judgment and decree, the petitioners' mother has executed the sale deed in favour of the petitioners. Thereafter, the petitioners have submitted an application dated 05.08.2025 to the respondent, seeking sub divisional patta transfer in their names. However, no order was passed. Hence, the petitioners have come forward with the present writ petition.

4. Learned Government Advocate appearing for the respondents would submit that in the present case, the petitioners' vendor's share to an extent of 1/3rd of the aforesaid property has been quantified. However, which portion of 1/3rd of share, the petitioners' vendor is entitled, is not known. Though the petitioners' vendor is entitled to 1/3rd share of the property, there are other two joint owners of the said property. Under these circumstances, the respondent are not in a position to survey and demarcate the boundaries.

5. In reply to the aforesaid submission, learned counsel for the



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petitioners submitted that in such case, the respondent may be directed to issue joint patta along with other two share holders of the subject property.

6. Heard the learned counsel on either side and perused the materials available on record.

7. I can find force in the submission made by the learned Government Advocate appearing for the respondents that the petitioner purchased 1/3rd share of vendor's property. In the preliminary decree, the vendor's 1/3rd share has been confirmed. Now, the final decree application is pending, where the demarcation of the property will be carried out, at present the petitioners are entitled for joint patta in the place of petitioners' vendor. Therefore, this writ petition can be considered only to the extent of issuance of joint patta and with regard to the survey in the property, demarcation of the property and sub-dividing the subject land, the same can be carried out only after the final decree proceedings. But, there is no impediment for the respondent to issue joint patta to the petitioners.



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Accordingly, this writ petition stands disposed of. No costs.

15.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The Tahsildar,
Chengam Taluk,
Chengam,
Tiruvanamalai District.

KRISHNAN RAMASAMY.J.,

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