



W.P.(MD) No.8534 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.8534 of 2023

Ramasamy

... Petitioner

Vs

1. The District Collector,
Tenkasi District, Tenkasi.

2. The Tahsildar,
V.K.Pudur Taluk,
Tenkasi District.

3. The Taluk Surveyor,
V.K.Pudur Taluk,
Tenkasi District.

4. The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

5. S.Ramasamy

6. S.Saravanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to issue a sub division patta for lands to an extent of 7 cents situated in Punja S.No.146(9) of Palabathiraramapuram, Uthumalai Sub Division, Uthumalai Taluk, Tenkasi District on the basis of the



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petitioner's representation dated 14.09.2022.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.M.Gangatharan,
Govt. Advocate for R1 to R3
Mr.M.Vaikkam Karunanithi,
Govt. Advocate (Crl. Side) for R4
No Appearance for R5 & R6

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ORDER

The petitioner herein seeks a direction to the respondents 1 and 2 to issue a sub-division patta for the lands of the petitioner situate in S.No. 146(9) in Palabathiraramapuram, Uthumalai Sub Division, Uthumalai Taluk, Tenkasi District, by considering the petitioner's representation dated 14.09.2022.

2. Heard the arguments of Mr.M.Sankar, learned counsel for the petitioner, Mr.M.Gangatharan, learned Government Advocate appearing for the respondents 1 to 3 and Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side) appearing for the fourth respondent. Though notice has been served on the respondents 5 and 6 and their names have also been printed in the cause list, there is no representation



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on behalf of them.

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3. According to the petitioner, the subject property with an extent of 7 cents on the western extremity of survey No.146/9 in the above mentioned Village was purchased by the petitioner under a sale deed dated 09.09.2010 from one Murugaiah Devar, Son of Sankaralinga Devar. The petitioner submitted an application for survey of the subject property and the same was surveyed, as per the direction issued by this Court in W.P.(MD)No.3482 of 2022. However, till date sub-division and separate patta has not been issued to the petitioner in respect of 7 cents of land purchased by him. Therefore, the petitioner submitted a representation on 14.09.2022, seeking subdivision of the property purchased by him and issuance of separate patta. The same has not been considered. Hence, the petitioner has come before this Court.

4. The learned Government Advocate appearing for the respondents 1 to 3, on instructions, would submit that the survey of the subject property was objected by the 5th respondent based on the subsequent document executed by him. The petitioner purchased the subject property under a sale deed dated 09.09.2010 under document No. 2012/2010, on the file of Sub Registrar Office, Uthumalai. As per the



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written instructions submitted by the learned Government Advocate appearing for the respondents 1 to 3, the 5th respondent objecting to the survey of the property based on the subsequent document No.2841/2010. It is settled law that anterior title document will prevail over the subsequent one. Therefore, there may not be any impediment for the respondents to consider the request of the petitioner for issuance of separate patta based on the subdivision of the property purchased by him.

5. Accordingly, the second respondent is directed to consider the representation of the petitioner dated 14.09.2022 and pass final orders on its own merits for subdivision and issuance of separate patta within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

14.07.2025

vsm

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No



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Tenkasi District, Tenkasi.
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S.SOUNTHAR, J.

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