



W.P.(MD)No.10873 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.10873 of 2025

Jamal Mohammed

... Petitioner

Vs.

The Tahsildar

Office of the Tahsildar,

Sivagangai Taluk,

Sivagangai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein, to sub divide and issue patta in respect of the petitioner's property measuring to an extent of 1 Acre 48 cents comprised in S.No.26/2 situated at Kalloorani Village Group, Sivagangai Taluk, Sivagangai District, based on the application sent through Email dated 06.12.2021 and considering the representation given by the petitioner dated 03.03.2025 within the time stipulated by this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondent : Mr.M.Lingadurai
Special Government Pleader



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ORDER

The petitioner seeks issuance of writ of mandamus, to direct the respondent to sub divide and issue patta in respect of the petitioner's property.

2. I have heard the learned counsel on either side.

3. The petitioner has made an application through E-mail on 06.12.2021 and given another representation on 03.03.2025. Since there has been no action at the end of the respondent, the petitioner has come forward with the present writ petition.

4. It is seen that the petitioner, having purchased the property under registered sale deed dated 10.05.2007, in document No.1042/2007, has sought for subdivision. It is also averred in the affidavit that the father of the petitioner's vendor, viz., Ganeshan Pillai, filed a suit in O.S.No.59 of 1949, seeking a relief of declaration and the said suit was



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also decreed and decree has become final. The learned counsel for the petitioner would therefore submit there is absolutely no embargo for the respondent to issue patta to the petitioner.

5. The learned Special Government Pleader would submit that the petitioner can be entered entitled to patta only if he is able to producing all linked documents.

6. In view of the above, I am inclined to dispose of the writ petition, in the manner following:

(i) The respondent shall fix a date for enquiry and issue advance notice to the petitioner, to appear and produce all relevant documents in support of his claim for patta.

(ii) On such documents being submitted by the petitioner on the assigned date by the respondent, the respondent shall consider the available documentary evidence and pass considered order on merits, and dispose of the petitioner's application within a period of eight weeks thereafter.



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7. This Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
LS

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To
The Tahsildar
Office of the Tahsildar,
Sivagangai Taluk,
Sivagangai District.



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P.B. BALAJI, J.

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