



W.P.(MD)No.12474 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12474 of 2025

Poomari

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Periyakulam,
Theni District.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 05.12.2024 and consequently direct the respondent to subdivide the property in Joint Patta No.7632 in S.No.2320/4A1A to an extent of 15 cents (6536 sq.ft) out of 74 cents situated in Thimmarasanaickanur Bit-2 Village, Andipatti Taluk, Theni District and thereafter, issue separate patta to



W.P.(MD)No.12474 of 2025

the petitioner's name within the period that may be stipulated by this Court.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan
For Respondents : Mr.M.Lingadurai,
Special Government Pleader

ORDER

Heard mr.V.G.Vallarasu Chezhiyan, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

2.Learned Counsel for the petitioner states that the petitioner's application for sub-division and separate patta has not been acted upon right from December 2021 onwards and seeks for expeditious consideration of the same.

3.However, learned Special Government Pleader on instructions submits that the property has been purchased by the petitioner, patta was mutated in the joint names including the name of the petitioner. However, at the same time, the very same property has been sold to Meenakshi Sundaram and his wife Shanthi, whose names are also included in joint patta. Therefore, unless the dispute



W.P.(MD)No.12474 of 2025

inter se between the petitioner and the said Meenakshi Sundaram and his wife Shanthi is resolved, no further steps can be taken for sub-division and issuance of patta.

4.It shall be open to the first respondent to conduct an enquiry and decide the entitlement of the petitioner to sub-division and separate patta, after giving an opportunity to the petitioner as well as the said Meenakshi Sundaram and his wife Shanthi. If the first respondent *prima facie* finds that the issues are involving title to the said property, then parties shall be directed to approach the competent Civil Court to work out their relief. However, if the first respondent is able to *prima facie* arrive at a positive finding that the petitioner is entitled to sub-division being effected and separate patta being issued based on the earlier sale deed in favour of the petitioner, then suitable orders be passed by the first respondent on the merits of the petitioner's application. The entire exercise shall be carried out within a period of twelve [12] weeks from the date of receipt of a copy of this order.



W.P.(MD)No.12474 of 2025

WEB COPY 5. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

29.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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W.P.(MD)No.12474 of 2025

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W.P.(MD)No.12474 of 2025

P.B.BALAJI., J.

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W.P.(MD)No.12474 of 2025

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