



W.P.(MD)No.13201 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.13201 of 2025

Prabakaran

... Petitioner

Vs.

1.The Tahsildar,
Kulithalai Tahsildar Office,
Kulithalai Taluk,
Karur District.

2.The Head Surveyor,
Kulithalai Taluk,
Karur District.

3.The Surveyor,
Thogaimalai Zone,
Kulithalai Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to sub-divide and grant separate patta in the name of the petitioner for his lands measuring 1 acre 33 cents under Survey No.405/18 and 99 ½ cents under Survey No.406/4G situated at Kalladai Village, Kulithalai Taluk, Karur District based on the petitioner's application, dated 21.03.2025 within the time stipulated by this Court.

For Petitioner : Mr.D.Boopal



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For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of writ of mandamus to direct the respondents to subdivide Survey Nos.405/18 and 406/4G and issue separate patta to the petitioner. The petitioner has made an application on 21.03.2025 in this regard.

2. Herd the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. The learned Special Government Pleader, on instructions, submits that there is a suit pending in O.S.No.52 of 2024 and relief of declaration and injunction has been sought for in respect of the very same survey numbers and the writ petitioner is also a defendant in the said suit. Therefore, he would submit that the authorities have rightfully not conducted any enquiry and awaiting further decision from the Civil Court.

4. The learned counsel for the petitioner would however contend that the extent which is subject matter of the civil suit is not in anyway connected to the



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lands in respect of which subdivision and separate patta is sought for by the

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petitioner though it is also comprised in the very same survey numbers.

5. However, it is a matter which the petitioner has to satisfy the revenue authorities by substantiating the same by way of documentary evidence. In the light of the above, this writ petition is disposed of, directing the 1st respondent to conduct enquiry, give an opportunity to the petitioner to make out his entitlement for subdivision and patta despite pendency of O.S.No.52 of 2024 and on the 1st respondent being satisfied, the 1st respondent shall proceed to effect subdivision and issues separate patta. If the 1st respondent is not satisfied with the documents produced by the petitioner, then the 1st respondent shall pass suitable orders and it shall be open to the petitioner to challenge the same in accordance with law.

6. With the above directions, this Writ Petition stands disposed of. No costs.

30.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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To:

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P.B.BALAJI, J.

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