



W.P.(MD) No.15390 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.15390 of 2025

Nallusamy ... Petitioner
Vs.

1. The Tahsildar,
Taluk Office, Vadipatti Taluk,
Madurai District.

2. Alagappan, ... Respondents

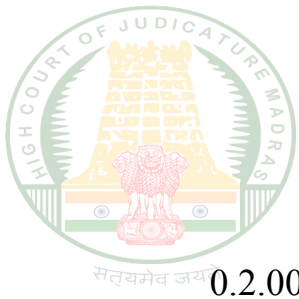
Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to sub-divide the property bearing Survey No.235/2A with an extent of 0-2.00 Ares situated at Muduvarpatti Revenue Village Vadipatti Taluk Madurai District and issue separate patta to the petitioner for his equal share.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1

ORDER

The petitioner herein seeks a direction to the first respondent to sub-divide the property bearing Survey No.235/2A with an extent of



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0.2.00 Ares situated at Muduvarpatti Revenue Village, Vadipatti Taluk, Madurai District, and issue separate patta in the name of the petitioner.

2. Heard the arguments of Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the first respondent. Since no adverse order is passed against the second respondent, notice to the second respondent is dispensed with.

3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that he and the second respondent purchased the above mentioned property jointly under registered sale deed dated 18.10.1989 and both of them has been in possession and enjoyment of the said property. The petitioner submitted an application before the first respondent seeking issuance of separate patta for his share in the property. The same has not been considered and hence, he has come before this Court.



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5. Even as per the admitted case of the petitioner, he purchased the subject property along with second respondent jointly. Therefore, the petitioner and the second respondent are co-owners of the property. Unless there is a partition between the co-owners, the first respondent may not be in a position to consider the request of the petitioner for issuance of separate patta. Therefore, it is for the petitioner to enter into partition with the second respondent and then approach the first respondent for issuance of separate patta in respect of share allotted to him.

6. With the above observation, this Writ Petition is disposed of.

No costs..

06.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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S.SOUNTHAR,J

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To

The Tahsildar,
Taluk Office,
Vadipatti Taluk,
Madurai District.

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