



W.P.(MD) No.18017 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.18017 of 2025

M.Ravindran (Died)

1 R.Vimala

2. Minor R.Muthu Manickam

3. Minor R.Raja Rathinam

... Petitioners

(Minor petitioners 2 and 3 are represented through their mother and natural guardian 1st petitioner)

(Petitioners 1 to 3 are impleaded vide Court order dated 26.08.2025 in W.M.P.(MD)No.17184/2025)

Vs

1. The District Collector,
Office of the District Collector,
Madurai.

2. The District Revenue Officer,
Office of the District Revenue Officer,
Madurai.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.

4. The Tahsildar,
Madurai South Taluk,
Madurai.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to measure and demarcate the petitioner's property situated in Madurai Town, Madurai South Taluk, Anupanadi Village, Old Survey No. 179/11B, New Survey No.179/32 A an extent of 6 cents within the time stipulated by this Court by considering the petitioner's representation letter dated 06.05.2024 made to the 2nd respondent.

For Petitioners : Mr.N.S.Karthikeyan

For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader

ORDER

This Writ Petition is filed seeking a direction to measure and demarcate the petitioners' property situated in Old Survey No.179/11B, New Survey No.179/32 A, in Anupanadi Village, Madurai Town, Madurai South Taluk, by considering the petitioner's representation dated 06.09.2024.

2. Heard the arguments of Mr.N.S.Karthikeyan, learned counsel for the petitioners and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents.

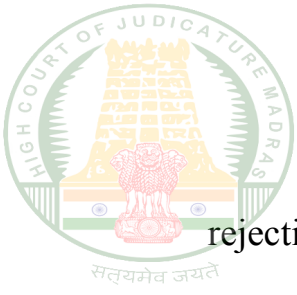


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3. According to the petitioners, an extent of 6 cents in the subject survey number was purchased by the petitioner's mother Saratha under a registered sale deed dated 07.05.1983. The revenue records stand in the name of the petitioner's mother and 5 other persons in Patta No.1165. The petitioner's mother executed a gift deed in favour of petitioner on 26.12.2007, settling the property of 6 cents purchased by her. Based on the said document, the petitioner submitted an application on 12.06.2024 seeking sub-division of the property settled in his favour. The said application was rejected by the 4th respondent by an order dated 15.10.2024 in its proceeding in 2024/0105/24/623523. Aggrieved by the same, the petitioner filed an appeal before the second respondent on 06.09.2024 and the same has not been considered. In the circumstances, the petitioner filed this Writ Petition seeking direction to the respondents to measure the property.

4. The application submitted by the petitioner seeking subdivision of the property has already been dismissed by the 4th respondent and the petitioner preferred an appeal before the second respondent. At this stage, this Court is not inclined to issue any direction to the respondents to survey the property against the order passed by the 4th respondent,



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rejecting the application for subdivision of the property. An appeal should have been filed before the third respondent. Instead the petitioner filed an appeal before the second respondent. Therefore, the second respondent is directed to forward the appeal filed by the petitioner dated 06.09.2024 to the third respondent, within a period of three weeks from the date of receipt of a copy of this order. The third respondent shall consider the same and pass final orders on its own merits within a further period of twelve (12) weeks, after issuing notice to the petitioners, co-pattathars in patta No.1165 and other interested parties.

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

26.08.2025

vsm

Index: Yes/No

Neutral Citation: Yes/No



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S.SOUNTHAR, J.

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