



W.P.(MD) No.17960 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.17960 of 2025

Amiratha Selva Priya

... Petitioner

Vs.

1.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

2.The Surveyor,
Puthiyaputhur Firka,
Ottapidaram Taluk,
Thoothukudi District.

3.The Village Administrative Officer,
Puthiamputhur Revenue Village,
Thoothukudi District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to take necessary action to survey and subdivision of the petitioner's land situated in survey No.95/11b, Ottapidaram Taluk, Thoothukudi District, by disposing the online Application No. 2025/0123/28/007627 dated 19.05.2025, within stipulated time may be fixed by this Honble Court and by following the principles of natural justice.



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For Petitioner : Mr.S.Ayyanar Prem Kumar
For R1 to R3 : Mr.S.Jaya Priya
Government Advocate

ORDER

The petitioner herein seeks a direction to the respondents to survey and subdivide his property situated in Survey No.95/11B to an extent of 2.583 Cents in Puthiamputhur Village, Ottapidaram Taluk, Thoothukudi District, by considering his online application No. 2025/0123/ 28/007627 dated 19.05.2025.

2. According to the petitioner, he purchased the subject property from his father Soundrapandiyan under registered sale deed dated 28.04.2025. The patta for the subject property stands in the name of 11 persons including the petitioner's father Soundrapandiyan in patta No.18. The petitioner submitted an online application on 19.05.2025 in application No.2025/0123/28/007627, seeking survey of the subject property. The same has not been considered. Hence she has come up with this writ petition.



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3. A perusal of the sale deed in favour of the petitioner enclosed in the typed set of papers would indicate that she purchased only an undivided share in the subject property. Therefore, the undivided share purchased by the petitioner cannot be subdivided unless the petitioner enters into a partition with co-owners. Therefore, the request of the petitioner for subdivision of the survey number based on the sale deed, cannot be considered. As a co-pattathar, the petitioner is entitled to seek survey of the property in Survey No.95/11B.

4. Hence the first and second respondents are directed to consider the application of the petitioner dated 10.05.2025 and pass final orders on its own merits after issuing notice to the petitioner, co-pattathars in patta No.18 and other interested parties within a period of 12 weeks from the date of receipt of a copy of this order.



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5. Accordingly, this Writ Petition is disposed of. No costs.

03.07.2025

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

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To

- 1.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 2.The Surveyor,
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Ottapidaram Taluk,
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- 3.The Village Administrative Officer,
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S. SOUNTHAR, J.

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