

A. Jayaseelan Vs. The Tahsildar, Lalkudi Taluk, Trichy District and Another

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Court : Chennai Madurai

Decided On : Aug-09-2016

Judge : M. Venugopal

Appeal No. : W.P(MD)No. 14385 of 2016

Appellant : A. Jayaseelan

Respondent : The Tahsildar, Lalkudi Taluk, Trichy District and Another

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to sub-divide the property bearing New S.No.584/7 measuring an extent of 01213 square meter of Vadugarpettai Village, Lalgudi Taluk, Trichy District with the help of the Second Respondent and to issue a separate patta out of the same to the Petitioner to an extent of 4028 sq.ft(i.e)374.22 square meter which is under his possession on the basis of his representation made before him dated 12.10.2015.)

1. Heard both sides.
2. By consent of both sides, the main Writ Petition itself is taken up for final disposal.
3. No counter is filed on behalf of the Respondents.

4. According to the Petitioner, the patta bearing No.2801 of the property in question stands in the name of his father for the entire property in S.No.584/7 of Vadugarpettai Village, measuring an extent of 01213 square meter. Hence he had applied for sub-division to sub-divide the property with the help of Taluk Surveyor and to issue a separate patta in his favour before the First Respondent/The Tahsildar, Lalkudi Taluk, Trichy District on 12.10.2015 after paying necessary charges for the aforesaid property, which is under his possession, measuring an extent of 4028 sq.ft(i.e) 374.22 square meter through the settlement made in his favour as per Document No.533/2014 of the Sub-Registrar, Pullampadi, dated 23.4.2014.

5. Considering the fact that the Petitioner's representation, dated 12.10.2015 in the subject-matter in issue is pending before the First Respondent, till date, without any disposal or progress, at this stage, this Court, simpliciter, in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the First Respondent to look into the representation of the Petitioner, dated 12.10.2015 within a period of one week from the date of receipt of a copy of this order and thereafter, to dispose of the same by passing a reasoned speaking order, on merits(of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the First Respondent/The Tahsildar, Lalkudi Taluk, Trichy District and the First Respondent shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 12.10.2015. The Petitioner is directed to lend his assistance and co-operation to the First Respondent, in disposing of his representation, dated 12.10.2015, within the time specified by this Court.

6. With the aforesaid observation(s) and direction(s), the Writ Petition stands disposed of. No costs.