

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.7014 of 2014

V.Mottaiyan

...Petitioner

Vs.

1. The District Collector,
District Collectorate,
Villupuram District
Villupuram.
2. The District Revenue Officer
District Collectorate,
Villupuram District
Villupuram.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
4. The Tahsildar
Office of the Tahsildar,
Sankarapuram,
Villupuram District.

...Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent to assign the lands to the petitioner and issue patta in the petitioner name in respect of the land of an extent of 0.23.5 Hecs in S.No.146/7 in Thandalai (North) Village, Sankarapuram Taluk, Villupuram District.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

Heard Mr.M.Rajaraman, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents.

2.The petitioner has filed this writ petition seeking issuance of Mandamus directing the fourth respondent to assign the lands to the petitioner and issue patta in the petitioner name in respect of the land of an extent of 0.23.5 Hecs in S.No.146/7 in Thandalai (North) Village, Sankarapuram Taluk, Villupuram District.

3.According to the petitioner, he has been in occupation of the land in question for several years and requested for grant of patta. Counter affidavit has been filed by the Tahsildar would state that the petitioner has no vested right for grant of patta. It is further stated that the petitioner is not a landless poor and the petitioner is having agricultural land measuring an extent of 0.37.0 Ares which is about one Acre and if the request made by the petitioner is accepted, it will open floodgate to similarly placed persons.

4.The learned counsel appearing for the petitioner would state that merely because the petitioner owns small piece of land that by itself will not dis-entitle him from granting patta.

5.The Tahsildar may reject the petitioner's application with a valid reason and intimate the same to the petitioner so that the petitioner may work out his further remedy in accordance with law. Accordingly, while dismissing the writ petition, there will be a direction to the Tahsildar/ the fourth respondent to pass appropriate orders on merits and in accordance with law.

6.This writ petition is dismissed with the above observation.
No costs.

Sd/-

Assistant Registrar(AD-I)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
District Collectorate,
Villupuram District
Villupuram.
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Office of the Revenue Divisional Officer,
Kallakurichi,
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 4. The Tahsildar
Office of the Tahsildar,
Sankarapuram,
Villupuram District.
- 1 CC to Mr.M.Rajaraman, Advocate SR.No. 8999

PPA (CO)
PSI (05.03.2015)

W.P.No.7014 of 2014

सत्यमेव जयते

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