

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition Nos.11123 and 11124 of 2015

W.P.No.11123 of 2015

Mrs.Palaniammal

... Petitioner

vs.

1. The Revenue Divisional Officer
Vridhachalam
Cuddalore District
2. The Tahsildar
Vridhachalam Taluk
Cuddalore District

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the second respondent to issue patta for an extent of 8 cents instead of 2 ½ cents and to make correction in Patta No.437 comprised in Survey No.292/17 at Kaikalakuppam Village as per Tamil Nadu Patta Pass Book Act.

W.P.No.11124 of 2015

M.Ranganathan

... Petitioner

vs.

1. The Revenue Divisional Officer
Vridhachalam
Cuddalore District
2. The Tahsildar
Vridhachalam Taluk
Cuddalore District

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the second respondent to issue patta for an extent of 6 ½ cents instead of 5 cents and make correction in Patta No.450 comprised in Survey No.292/15 at Kaikalakuppam Village as per Tamil Nadu Patta Pass Book Act.

For Petitioner : Mr.R.Sethuvarayar

For Respondent : Mr.V.Subbiah
Special Govt. Pleader

C O M M O N O R D E R

By consent, these writ petitions itself are taken up for final disposal.

2. In W.P.No.11123 of 2015, the petitioner claims that her father, namely Ramasamy is the owner of the house site admeasuring to an extent of 8 cents comprised in Old Survey No.43/5, New Survey No.292/17 at Kaikalakuppam Village and it was partitioned and fell into the share of the petitioner and she is in possession and enjoyment of the same right from 1987 and also obtained a patta in her favour. The petitioner would further submit that her land has also been classified as Natham. The petitioner, while applying for the patta for the house site, submitted an application for an extent of 8 cents in S.No.292/17, but, later on she came to know that patta was issued in Patta bearing No.437 only for 2 ½ cents. In this regard, she has submitted a representation dated 02.05.2013 to the respondents. Though it was acknowledged, she has not been favoured with any response. Hence, she came forward with the present writ petition.

3. In W.P.No.11124 of 2015, the petitioner claims that he is the owner of the natham house site admeasuring 6 ½ cents comprised in Old Survey No.43/5, New Survey No.292/15 at Kaikalakuppam Village and on his application he was issued with a natham patta bearing Patta No.450. Later on the petitioner came to know that though he prayed for issuance of patta for the extent of 6 ½ cents, patta was issued only for 5 cents and in this regard, he has submitted a representation dated 02.05.2013 to the respondents. Though it was acknowledged, he has not been favoured with any response. Hence, he came forward with the present writ petition.

4. Heard the submissions of the learned counsel appearing for the petitioners and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the respondents.

5. Though the petitioner has prayed for the larger relief, taking into consideration the facts and circumstances, it would be suffice to direct the respondents to consider the petitioner's representation dated 02.05.2013 in accordance with law within the stipulated time.

6. In the result, the writ petition is disposed of and the respondents are directed to consider the representation dated 02.05.2013 submitted to the respondents in accordance with law after putting the concerned person on notice and pass orders as expeditiously as possible, not later than eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as to the persons concerned. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Revenue Divisional Officer
Vridhachalam
Cuddalore District

2. The Tahsildar
Vridhachalam Taluk
Cuddalore District

+2 cc to Mr.R.Sethuvarayar, Advocate, SR.21054, 21055

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