

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.12502 of 2015

G.Kanniappan

.. Petitioner

vs

- 1.The District Collector
O/o District Collector
Villupuram District
Villupuram
- 2.The Sub-Collector
O/o. Sub-Collector
Jakkampettai
Tindivanam Taluk 604 002
Villupuram District
- 3.The Tahsildar
O/o. Tahsildar
Nehru Street
Tindivanam Taluk
Villupuram District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 8.2.2015, to issue patta to the petitioner in respect of the land bearing Survey No.178/8, Irrular Kudiyruppu, Theevanur Taluk,Villupuram District.

For Petitioner : Mr.M.Venkadeshnan

For Respondents : Mr.M.Digvijaya Pandian
Additional Government Pleader
for RR1 to 3

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he belongs to "Irrular Community", which is a Scheduled Tribe Community, and his father viz. Gopal, had put up a small hut about 40 years ago in the land in Survey No.178/4, Theevanur Village, Tindivanam Taluk, Villupuram District, and his mother viz. Kuppu, was also issued with a patta in respect of the property in Survey No.178/14, admeasuring to an extent

of 0.60 square meter, and the petitioner had also put up a hut adjacent to his mother's patta land, in Survey No.178/8, and the said land belongs to the Government.

3.The petitioner claims for the patta in respect of the said land, and in this regard, submitted a representation dated 8.2.2015, to the respondents and though it was acknowledged, he has not been favoured with any response and hence, came forward to file this writ petition.

4.In the Public Interest Litigation filed by one Mr.Siva Elango, President of Satta Panchayat Iyakkam, Chennai, in W.P.No.34201/2014, the Deputy Secretary to Government, Personnel and Administrative Reforms Department, has sworn to the affidavit on behalf of the said Department as well as on behalf of the Chief Secretary to the Government of Tamil Nadu, wherein, he would state that in respect of patta transfer, on-line services have been provided for the Revenue Department and in the light of the said fact, there is no dire necessity to enact the legislation viz. Right to Service Act.

5.In the light of the stand taken by the Government in the above said writ petition, the third respondent is bound to dispose of the representation submitted by the petitioner, who belongs to the Scheduled Tribe Community, within the stipulated time frame.

6.This Court, without going into the merits of the representation/application submitted by the petitioner, directs the third respondent to consider the petitioner's application/representation dated 8.2.2015, in accordance with law, after putting on notice, the persons concerned and pass orders as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

- 1.The District Collector
O/o District Collector
Villupuram District
Villupuram
- 2.The Sub-Collector
O/o. Sub-Collector
Jakkampettai
Tindivanam Taluk 604 002
Villupuram District

3.The Tahsildar
O/o. Tahsildar
Nehru Street
Tindivanam Taluk
Villupuram District

1 cc to Mr. M.Venkadeshnan,Advocate, SR.No.23126
1 cc to Government Pleader,Sr.No23269

W.P.No.12502 of 2015

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pmk.14.5.2015



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