

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13979 of 2015

Ottapatti Village Panchayat
Rep. by its President K.Ravi
Achamangalam PO
Jolarpet Union
Tirupattur Taluk (now Nattrampalli Taluk)
Vellore District. ... Petitioner

Vs.

- 1 The District Collector
Vellore District, Vellore.
- 2 The District Revenue Officer
Vellore District, Vellore.
- 3 The Thasildhar
Tirupattur Taluk,
Jolarpet, Vellore District.
- 4 Shanthi
- 5 Jeeva ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus Directing the 1st Respondent to pass appropriate orders for cancellation of assignment of land and consequential grant of patta in favour of 4th and 5th Respondents in respect of land of an extent of 1.50.0 hectares comprised in S.No.206/1 Ottapatti Village, Jolarpet Union, Tirupattur Taluk, Vellore District, based on the representation submitted by the Petitioner Village Panchayat dated 07.04.2015.

For Petitioner : Mr.G.Sankaran

For Respondents 1 to 3: Mr.Rm.Muthukumar
Government Advocate

O R D E R

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

2. The petitioner claims that he is the elected President of Ottapatti Village Panchayat and the land in S.No.206/1 is classified as 'Un-assessed Dry Waste' and it measures 2.51.0

hectares and vested with local body and it is being utilised by the said Village Panchayat for public purpose. A water tank is also constructed and a burial ground is also located on the said land. The other extent of land is being utilised as School Play Ground.

The petitioner would further state that he came to know that the 4th and 5th respondents, as a measure of grabbing the Government Poramboke land, surreptitiously created documents and made applications for assignment of patta, based on which a report was prepared and submitted to the second respondent on 05.08.1998 without surveying the land and without conducting proper enquiry and subsequently, assignment of patta was also granted in favour of 4th and 5th respondents vide proceedings dated 31.05.2004.

The petitioner would further submit that on coming to know the assignment of patta in favour of the respondents 4 and 5, the local body questioning the said assignment has passed a resolution and the petitioner submitted a representation dated 07.04.2015 to the 1st respondent and though it was received by the 1st respondent on 13.04.2015, no steps have been taken to cancel the assignment of patta granted in favour of the respondents 4 and 5 and hence, the petitioner came forward to file this writ petition.

3. Heard Mr.G.Sankaran, learned counsel appearing for the petitioner and Mr.Rm.Muthukumar, learned Government Advocate, who accepts notice for the respondents 1 to 3/official respondents.

4. Though the petitioner has prayed for larger relief, this Court, in the facts and circumstances of the case, directs the first respondent to consider and dispose of the petitioner's representation dated 07.04.2015 in accordance with law, after putting on notice the respondents 4 and 5, and pass orders on merits as early as possible and not later than three months from the date of receipt of a copy of this order and communicate the decision taken to the petitioner and the respondents 4 and 5.

5. The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mra

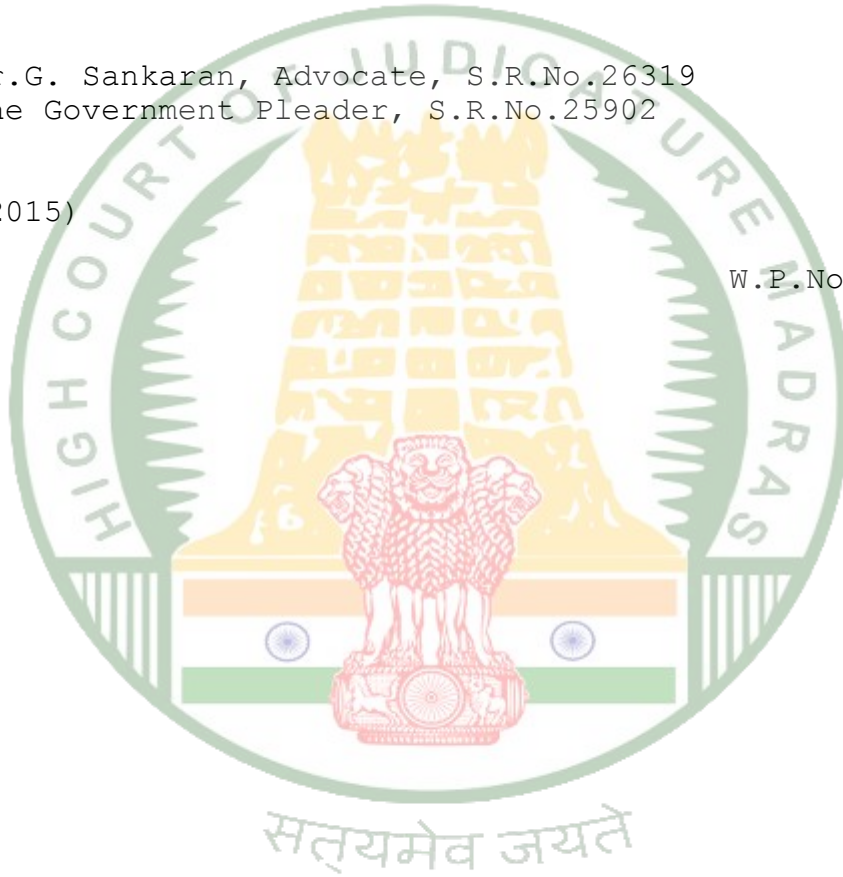
To

- 1 The District Collector
Vellore District, Vellore.
- 2 The District Revenue Officer
Vellore District, Vellore.
- 3 The Thasildhar
Tirupattur Taluk,
Jolarpet, Vellore District.

+1cc to Mr.G. Sankaran, Advocate, S.R.No.26319
+1cc to the Government Pleader, S.R.No.25902

LRS(CO)
EU(11/06/2015)

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