

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.19924 of 2015

and

M.P.No.1 of 2015

Viruthammal

.. Petitioner

vs

- 1.The District Collector
Perambalur District
Perambalur
- 2.The District Revenue Officer
Perambalur District
Perambalur
- 3.The Revenue Divisional Officer
Perambalur
Perambalur District
- 4.The Revenue Tahsildar
Veppanthattai Taluk
Perambalur District
- 5.The Executive Officer
Kasi Viswanathar and
Varadharaja Perumal Temples
Thondamandurai Village
Veppanthattai Taluk
Perambalur District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to issue patta in favour of the petitioner in respect of house door No.1/476, Thondamandurai Village, Veppanthattai Taluk, Perambalur District.

For Petitioner : Mr.L.Rajendran

For Respondent : Mr.R.A.S.Senthilvel
Additional Government Pleader
for RR1 to 4

Mr.M.L.Mahendran
Government Advocate for R5

ORDER

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

2.The petitioner would state that the natham poramboke land bearing Old Survey No.810/1, New Survey No.312/1, admeasuring to an extent of 1 are, was assigned vide assignment order in H.S.D.568/1407, by the fourth respondent on 20.10.1997, to the petitioner and ever since such assignment, the petitioner and her family are enjoying the property without any interruption and it is also subjected to statutory levies; however, without putting the petitioner on notice, the said property has been subdivided as Survey Nos.450/7 and 450/9 and when it was brought to the knowledge of the concerned authorities, the third respondent vide proceedings dated 28.2.2006, recommended to the second respondent for cancelling the assignment given by the fourth respondent to the petitioner and nine others, and however, no orders have been passed. According to the petitioner, she also submitted a representation dated 30.7.2012, praying for issuance of patta by virtue of the above said assignment and in the interregnum, steps have been taken to dispossess her and in this regard, she also sent a representation dated 22.1.2015, to the first respondent and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepted notice on behalf of the respondents 1 to 4 and Mr.M.L.Mahendran, learned Government Advocate, who accepted notice on behalf of the fifth respondent.

4.The first respondent, on receipt of the representation dated 22.1.2015, submitted by the petitioner, has instructed the Sub-Collector, Perambalur, to take appropriate action and inform the decision taken, to the petitioner. A copy of the said proceeding was also marked to the fourth respondent.

5.This Court, taking into consideration the above facts and circumstances and without going into the merits of the case projected by the petitioner, permits the petitioner to submit one more representation to the second respondent by enclosing a copy of her earlier representation dated 22.1.2015, within a period of two weeks from the date of receipt of a copy of this order, and the second respondent, on receipt of the same, is directed to consider and dispose it of in accordance with law, after putting on notice, the fifth respondent, within a period of six weeks thereafter and communicate the decision taken, to the petitioner as well as to the fifth respondent. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

- 1.The District Collector
Perambalur District
Perambalur
- 2.The District Revenue Officer
Perambalur District
Perambalur
- 3.The Revenue Divisional Officer
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Perambalur District
- 5.The Executive Officer
Kasi Viswanathar and
Varadharaja Perumal Temples
Thondamandurai Village
Veppanthattai Taluk
Perambalur District

+1cc to Mr.L. Rajendran, Advocate, S.R.No.34061
+ 1 cc to Government Pleader Sr.34351
+1cc to the Special Government Pleader, S.R.No.34325

BVR(CO)
EU(21/07/2015)

W.P.No.19924 of 2015

सत्यमेव जयते

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