

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.22101 of 2015

R.Balakrishnan

...Petitioner

vs

1. State of Tamil Nadu
by its Secretary to Government
Department of Revenue
Chief Secretariat
Fort St. George, Chennai 600 009

2. The District Collector
Thiruvarur District

3. The Tahsildar
Kudavasal Taluk
Thiruvarur District

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the third respondent to conduct the necessary enquiry on the petitioner's representation dated 15.6.2014, for issue of patta in the petitioner's name for the lands described in the Delivery Account effected on 11.3.1987, recorded by the Sub Court, Mayiladuthurai, the 19 items of land in 4 lots, on 16.3.1987, in E.P.No.85/1987 in O.S.No.127/1980, on the file of the Subordinate Judge, Mayiladuthurai.

For Petitioner : Mr.S.Nethaji

For Respondents : Mr.S.V.Duraisolaimalai
Additional Government Pleader

ORDER

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

2.The petitioner would state that he used to provide funds to the small farmers and in the Court auction sale, pursuant to a decree in O.S.No.127/1980, on the file of the Court of Subordinate Judge at Mayiladuthurai, he became the successful bidder and

purchased certain items of properties and was also put in possession of the same through processor of Court. The petitioner would further state that he, pursuant to the Court auction sale, made an application dated 15.6.2014, to the third respondent for issuance of patta in respect of the lands, which were purchased by him in the Court auction, and since he has not been favoured with any response, came forward to file this writ petition.

3.The learned Counsel appearing for the petitioner, would state that though the petitioner made an application on 15.6.2014, followed by a reminder dated 13.1.2015, no response is forthcoming and hence, prays for appropriate orders.

4.Heard the submissions of Mr.S.V.Duraisolaimalai, learned Additional Government Pleader, who accepted notice on behalf of the respondents, also.

5.This Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to apply afresh to the third respondent for issuance of patta, by complying with procedural formalities, within a period of two weeks from the date of receipt of a copy of this order, and the third respondent, on receipt of the same, is directed to consider it, in accordance with law, after putting on notice, the persons concerned, and pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The Secretary to Government
Department of Revenue
Chief Secretariat
Fort St. George, Chennai 600 009
2. The District Collector
Thiruvarur District

3. The Tahsildar
Kudavasal Taluk
Thiruvarur District

1 CC to Mr.S.Nethaji, Advocate SR.No. 37807

1 CC to the Government Pleader, SR.No. 37738

W.P.No.22101 of 2015

NM (CO)
PSI (07.08.2015)



WEB COPY