

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.25775 of 2015

K.Shreenivasa Rao

... Petitioner

-Vs-

1.The Director of Survey & Settlement,
Survey House, Chepauk,
Chennai - 600 005.

2.The District Collector,
Krishnagiri District, Krishnagiri.

3.The District Revenue Officer,
Krishnagiri District, Krishnagiri.

4.The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.

5.The Tahsildar,
Krishnagiri Taluk, Krishnagiri.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider the application submitted by the Petitioner dated 05.08.2015 and to pass appropriate orders granting patta in respect of lands comprised in S.Nos.19/1, 19/2 & 19/3 to an extent of 21.39 acres and the land comprised in S.Nos.44/3, 44/4 & 44/9 to an extent of 7.38 acres Kothappettah Village, Krishnagiri Taluk & District on consideration of documents submitted within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

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

O R D E R

It appears that the property in question has been declared as Anatheenam land. Claiming title to the property, the petitioner filed a suit in O.S.No.784 of 1982 on the file of the District Munsif Court, Krishnagiri. The suit was dismissed. The appeal in A.S.No.140 of 1995 was allowed and a further challenge was made by the respondent nos.2 & 4 before this Court in Second Appeal in

S.A.No.531 of 1997. By judgment dated 28.01.2015, the appeal was dismissed as abated. Thus the judgment and decree rendered by the Appellate Court in A.S.No.140 of 1995 stands as on today.

2. Thereafter, the petitioner made a representation to the respondent no.1 seeking issuance of patta. As the request was not considered, the present Writ Petition has been filed.

3. As the respondent nos.2 & 4 are the appellants in the Second Appeal in S.A.No.531 of 1997, those two respondents are duty bound to consider the request of the petitioner. Hence, the petitioner is directed to make another representation to the respondent no.2 within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent no.2 is directed to pass appropriate orders by taking into consideration all the civil proceedings. It is made clear that appropriate orders will have to be passed by the respondent no.2 within a period of eight weeks from the date of receipt of such representation from the petitioner. The respondent no.2 shall either pass orders by himself or by directing other respondent nos.3 to 5 to complete the said exercise.

4. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Survey & Settlement,
Survey House, Chepauk, Chennai - 600 005.

2. The District Collector,
Krishnagiri District, Krishnagiri.

3. The District Revenue Officer,
Krishnagiri District, Krishnagiri.

4. The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.

5. The Tahsildar,
Krishnagiri Taluk, Krishnagiri.

+ 1 cc to M/s. G. Sankaran, Advocate Sr.44123
+ 1 cc to Government Pleader SR.44169

W.P.No.25775 of 2015

RSK(CO)

EU 08.09.15

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