

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.27651 of 2015

and

M.P.No.1 of 2015

S.Krishnan

... Petitioner

-Vs-

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 600 009.

2. The District Collector,
Salem District.

3. The Deputy Registrar of Co-operative Societies,
Omalur, Salem District.

4. The Tahsildar,
Omalur Taluk,
Salem 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 consider the application dated 01.08.2014 for grant of patta in respect of 5 acres of land in S.No.446, Kanavoiputhur Village as per the orders issued in GO Ms.255 dated 02.11.1993 Adidravida and Tribal Welfare Department.

For Petitioner : Mr.M.Devaraj

For Respondents : Mrs.P.Rajalakshmi,
Government Advocate (R1, R2 & R4)
Ms.M.E.Raniselvam (R3)

O R D E R

When the matter is taken up today, the learned counsel for the petitioner submitted that the issue is already covered by a judgment of this Court in W.P.No.19347 of 2015 dated 02.07.2015.

2.The case of the petitioner is that he is entitled for patta in view of the prolonged possession. The learned counsel also submitted that respondent no.1 has taken a decision on the conversion of the land. Considering the said issue, this Court, in the above cited judgment, has observed as follows:

"5.This Court, taking into consideration, the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, directs the first respondent to take a decision in the conversion of the land which were originally allotted to Kanavoiputhur Land Colonisation Co-operative Society and communicate the same to the 4th respondent and on receipt of the same, the 4th respondent is directed to consider the representation dated 01.08.2014 on merits and in accordance with law, after putting on notice to the persons concerned and pass orders as expeditiously as possible within twelve weeks from the date of receipt of communication from the first respondent. Accordingly, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed."

3.Taking into consideration the above said facts and the judgment cited supra, this Court, without going into the merits of the case, directs the respondent no.1 to take a decision in the conversion of the land which were originally allotted to Kanavoiputhur Land Colonisation Co-operative Society and communicate the same to the respondent no.4 and on receipt of the same, the respondent no.4 is directed to consider the application dated 01.08.2014 on merits and in accordance with law, after putting on notice to the persons concerned and pass orders as expeditiously as possible within twelve weeks from the date of receipt of communication from the respondent no.1.

4.Accordingly, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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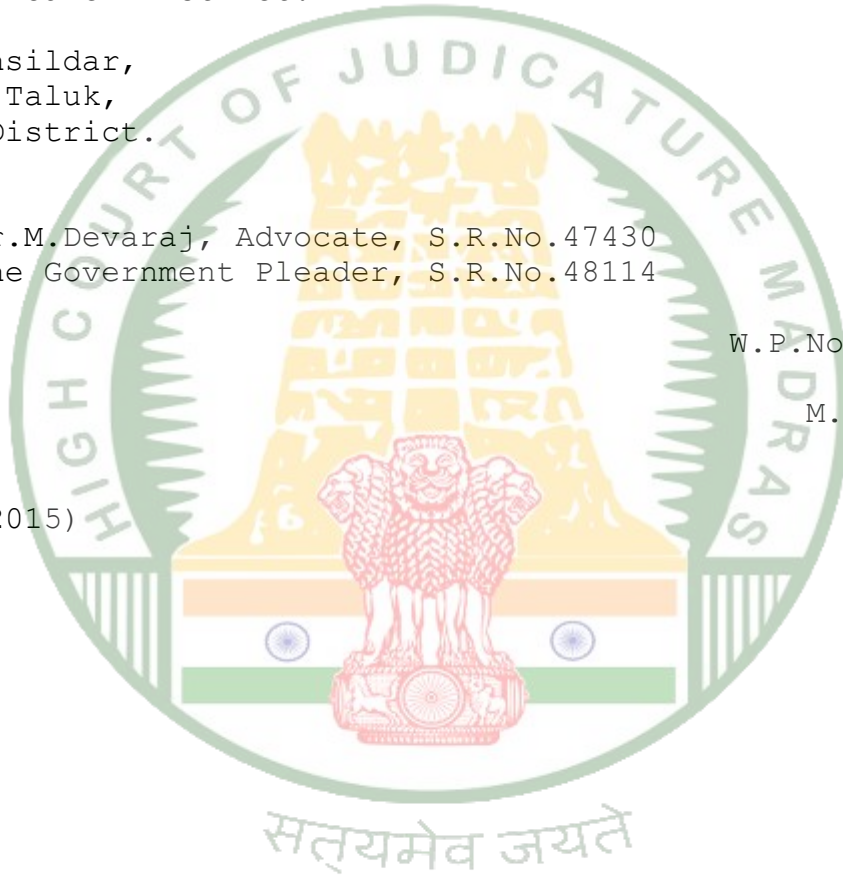
To

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 600 009.
2. The District Collector,
Salem District.
3. The Deputy Registrar of Co-operative Societies,
Omalur, Salem District.
4. The Tahsildar,
Omalur Taluk,
Salem District.

+1cc to Mr.M.Devaraj, Advocate, S.R.No.47430
+1cc to the Government Pleader, S.R.No.48114

W.P.No.27651 of 2015
and
M.P.No.1 of 2015

MG(CO)
CA(18/09/2015)



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