

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.3351/2015

- 1.K.Muthusamy
- 2.R.Venkatachalam
- 3,Madamma
- 4.P.Pachamuthu
- 5.Murugesan
- 6.Rangasamy
- 7.Palanisamy
- 8.Arthanari
- 9.K.Govindan

Petitioners

Versus

- 1.The Secretary to Government
State of Tamil Nadu
Department of Revenue
Fort St George, Chennai 600 009.
- 2.The Additional Chief Secretary
and Commissioner of Land administration
Chepauk, Chennai 600 005.
- 3.The Director
Land Survey and Settlement
Chepauk, Chennai 600 005.
- 4.The District Collector
Salem, Salem District.
- 5.The Tahsildar
Salem, Salem District.

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to appoint a Settlement Tahsildar for Chettichavadi village, Kannangurichi Post, Salem Taluk, Salem District, conduct necessary enquiries for the respective agricultural lands of the petitioners herein situate in various survey numbers, i.e, for the petitioners 1 to 4 the land situate in S.No.14, and for the petitioners 5 to 8 the

lands situate at S.No.98 and for the petitioner 9 the land situate in S.No.115, in Chettichavadi village, Kannangurichi Post, Salem Taluk, salem District and directing the 5th respondent herein to issue patta to each of the petitioners herein according to the said enquiry.

For Petitioners : Mr.S.Arunkumar
For Respondents : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.S.Arunkumar, learned counsel for the petitioners ; Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioners have filed this writ petition praying for a writ of mandamus to direct the 1st respondent to appoint the Settlement Tahsildar for Chettivadi village, Kannangurichi Post, Salem District and make necessary enquiries with regard to the agricultural lands in question which is said to be in possession of the petitioners and thereafter grant settlement patta.

3.Earlier, Chettivadi Grama Podhu Nala Sangam, which is an Association, has filed a writ petition before this Court in WP.No.8448/2009 to direct the Government to consider their representation and to withdraw the restriction imposed by the Government in issuing patta to the Government Poramboke lands situate within the limits of Salem Corporation so as to enable the members of the petitioner Association to seek patta. This Court, without going into the merits of the petitioner contentions, by order dated 09.06.2009, directed the representation to be considered. Pursuant thereto, a direction was issued by the District Collector, Salem, to the Tahsildar, Salem, to enquiry into the matter. It appears that subsequently no further steps have been taken and therefore, the petitioners have submitted individual representations and they have now approached this Court. It is seen that the representation dated 01.11.2014 was sent by Speed Post on 25.11.2014 and the same are pending before the 5th respondent.

4. In the light of the above, without going into the merits of the petitioners' contentions, there will be direction to the 5th respondent to consider the said representations dated 01.11.2014 and pass appropriate orders on merits and in accordance with law and inform the petitioners as to the stage of the matter, as to whether any action has been taken by the Government to appoint Settlement Tahsildar. Such information shall be furnished to the petitioners within a period of six weeks from the date of receipt of a copy of this order. On receipt of the same, it is open to the petitioners to work out their remedy in the manner to law.

5.The writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Secretary to Government
State of Tamil Nadu
Department of Revenue
Fort St George, Chennai 600 009.

2.The Additional Chief Secretary
and Commissioner of Land administration
Chepauk, Chennai 600 005.

3.The Director
Land Survey and Settlement
Chepauk, Chennai 600 005.

4.The District Collector
Salem, Salem District.

5.The Tahsildar
Salem, Salem District.

1 cc to Government Pleader, Sr.No.7659

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