

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 35555 of 2015

A. Aanaikutty

..Petitioner

Vs.

The Revenue Divisional Officer,
Namakkal Division,
Namakkal Taluk & District.

..Respondent

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 31.08.2009 and pass suitable orders based on the petitioner's representation.

For Petitioner :: Mr.A.R. Palanisaamy

For Respondent :: Mr.V. Subbiah,
Special Govt. Pleader

O R D E R

Mr.V. Subbiah, learned Special Government Pleader takes notice for the respondent. By consent, the main writ petition itself is taken up for final disposal.

2. With the grievance that the petitioner's land situated in S.No. 434/3 of Pottireddipatty Village, Namakkal Taluk & District, has been wrongly classified as Grama Natham, the petitioner filed a suit in O.S. No. 171 of 2007 before the District Munsif Court at Namakkal as against the respondent herein and two others. The suit was decreed on 19.02.2008. Thereafter, the petitioner made a representation to the respondent to issue patta in his favour. On 18.05.2011, the Pottireddypatti Panchayat passed a resolution that they have no objection to grant patta in favour of the petitioner. On 20.05.2011, the Village Administrative Officer of the Pottireddypatti Village submitted a report to the Revenue Inspector, who, in turn, submitted a report on 23.05.2011 to the Tahsildar, Namakkal stating that patta may be granted to the

petitioner. However, no further action was forthcoming. Hence, the present writ petition.

3. Considering the fact that the representation of the petitioner dated 31.08.2009 is pending before the respondent and that the Village Administrative Officer as well as the Revenue Inspector have already filed their reports, as early as in the year 2011, stating that patta may be granted to the petitioner, the writ petition is disposed of as hereunder:

"As the representation of the petitioner has been made as early as in the year 2009, the petitioner is directed to forward a copy of the representation dated 31.08.2009 along with a copy of this order and other relevant documents, in support of his claim, to the respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the representation of the petitioner, the respondent is directed to consider and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks thereafter. It is made clear that appropriate orders can be passed either by the respondent or by any other competent authority under him."

No costs.

sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

nv

To

The Revenue Divisional Officer,
Namakkal Division,
Namakkal Taluk & District.

+1 CC to MR.A.R. Palanisaamy Advocate. SR.NO. 60499
+1 CC to Govt.Pleader. SR.NO. 61190

W.P. No. 35555 of 2015

AR-IV
JD 19/11/2015