

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.37284 of 2015

C.Kulandaivelu

... Petitioner

Vs

1. The Secretary to Government,
Revenue Department, Fort.St.
George, Chennai-9.
2. The District Collector,
Salem District.
3. The Deputy Registrar of Coop. Societies,
Omalur, Salem District.
4. The Tahsildar, Omalur Taluk,
Salem District.

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the application dated 01.08.2015 for grant of patta in respect of 4.5 acres of land in S.Nos.451 and 460, Kanavoiputhur Village, as per the orders issued in G.O.Ms.No.255 dated 2.11.1993 Adidravida and Tribal Welfare Department.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.V.Subbiah,
Special Government Pleader

ORDER

Mr.V.Subbiah, learned Special Government Pleader takes notice for the respondents. Heard the learned counsel for the petitioner. By consent, the writ petition itself is taken up for final disposal.

2. 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 2.7.2015.

3. The case of the petitioner is that he is entitled for patta in view of the prolonged possession. The learned counsel also submitted that the first respondent 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 :

"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 Cooperative Society and communicate the same to the fourth respondent and on receipt of the same, the fourth respondent is directed to consider the representation dated 1.8.2014 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."

4. Taking into consideration the above said facts and the judgment cited supra, this Court, without going into the merits of the case, direct the first respondent to take a decision in the conversion of the land, which were originally allotted to Kanavoiputhur Land Colonisation Cooperative Society and communicate the same to the fourth respondent and on receipt of the same, the fourth respondent is directed to consider the application dated 01.08.2015 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.

5. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

RS

To

1. The Secretary to Government,
Revenue Department, Fort.St.
George, Chennai-9.
2. The District Collector,
Salem District.
3. The Deputy Registrar of Coop. Societies,
Omalur, Salem District.
4. The Tahsildar, Omalur Taluk,
Salem District.

+1cc to Mr.M.Devaraj, Advocate, S.R.No.63860
+1cc to the Government Pleader, S.R.No.63936

W.P.No.37284 of 2015

CTK(CO)
CA(11/12/2015)

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