

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

Coram:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition Nos. 4910 and 4911 of 2015

E.Raja
Ponmalli

.. Petitioner in W.P.No.4910 of 2015
.. Petitioner in W.P.No.4911 of 2015

Vs

1. The Assistant Commissioner of Urban Land
Ceiling (Salem),
O/o, the Assistant Commissioner of Urban Land
Ceiling, Near Fire Service Station,
Erode

2. The Tahsildar,
Salem Taluk, Salem. ..Respondents in both the petitions

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to carryout necessary mutation in the village records by entering the petitioners name as Pattadhar of the property viz., 1701, 2005 sq.ft land respectively comprised in Survey No.135/11 (Now Sub-divided as 135/11B and 135/11C) situated in No.54, Alagapuram Pudhur Village, within the Sub-Registration Dist. Of Suramangalam and within the taluk and registration district of Salem and to issue patta in his name, by considering the petitioners' request made on 20.08.2014 followed by reminder on 22.10.2014 within a reasonable time to be fixed by this Court.

For Petitioners:Mr.R.Neelakandan

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader

C O M M O N O R D E R

Heard Mr.R.Neelakandan, learned counsel for the petitioners and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for respondents. With the consent of either side, the Writ Petitions itself are taken up for final disposal at the admission stage.

2.Since the issue involved in both the writ petitions are one and the same, they are taken up together and a common order is being passed.

3. The petitioners in these Writ Petitions seek for a issuance of Writ of Mandamus for grant of patta in favour of the petitioners in respect of the land in question by placing reliance on the decision of this Court in W.P.No.4102 of 2003 dated 20.07.2012. The said Writ Petition was filed by the petitioners' mother Tmt.Govindammal and the Writ Petition was allowed by this Court and the proceedings initiated under the Urban Land and Ceiling Act was declared as null and void. With these facts, the learned counsel for the petitioners requested for grant of patta.

4.In the light of the above, there shall be a direction to the 2nd respondent to consider the representation of the petitioners after issuing notice to the petitioners and pass a reasoned order on merits and in accordance with law within a period of three months from the date of receipt of copy of this order.

With the above direction these Writ Petitions are disposed of. No costs.

Sd/-

Asst.Registrar (Lok adalat)

/true copy/

Sub Asst. Registrar

ssd

To

1. The Assistant Commissioner of Urban Land Ceiling (Salem),
O/o, the Assistant Commissioner of Urban Land Ceiling, Near Fire Service Station,
Erode
2. The Tahsildar,
Salem Taluk, Salem.

2 ccs to Mr.R. Neelakandan, Advocate, sR. 10258
1 cc to Government Pleadr, sR. 10585

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NM (CO)

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