

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.8436/2015

Ellappa

...Petitioner

Versus

1. The District Collector
Krishnagiri, Krishnagiri District.
2. The Revenue Divisional Officer
Krishnagiri, Krishnagiri District.
3. The Tahsildar
Thenkanikottai Taluk, Krishnagiri District.
4. The Village Administrative Officer
Periya Madha Konda Palli village,
Thenkanikottai Taluk,
Krishnagiri District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to consider and pass order on the petitioner's representation dated 20.01.2015 for issuance of patta for the agricultural land measuring an extent of 1.60 acres in survey No.182 of periya Madha Kondapalli village, Thenkanikottai Taluk, Krishnagiri District.

For Petitioner : Mr.A.Ilaya Perumal

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

ORDER

Heard Mr.A.Ilaya Perumal, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader accepting notice for the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking for a direction to the 3rd respondent to consider and pass order on the petitioner's representation dated 20.01.2015 for issuance of patta for the agricultural land measuring an extent of 1.60 acres in survey No.182 situated in Periya Madha Kondapalli village, Thenkanikottai Taluk, Krishnagiri District.

3.Admittedly, the land in question is a Poramboke land for which the petitioner now seeks for patta. Earlier the petitioner approached this Court and a direction was issued by this Court in WP.No.3685/2008 on 15.02.2008 to consider his representation. The grievance of the petitioner is that the representation was not considered. Therefore, he gave a fresh representation on 20.01.2015 and since the same has not been considered, he is before this Court by way of filing the present writ petition.

4.In my view, as long as the property is a Government property, there cannot be any compulsion to the Government to grant patta though certain Government Orders have been issued to grant Free House Site Pattas for landless poor. Hence, the prayer sought for by the petitioner, cannot be granted and the writ petition is dismissed. However, this will not prevent the petitioner from pursuing his representation dated 20.01.2015 before the 3rd respondent, which shall be considered in accordance with law. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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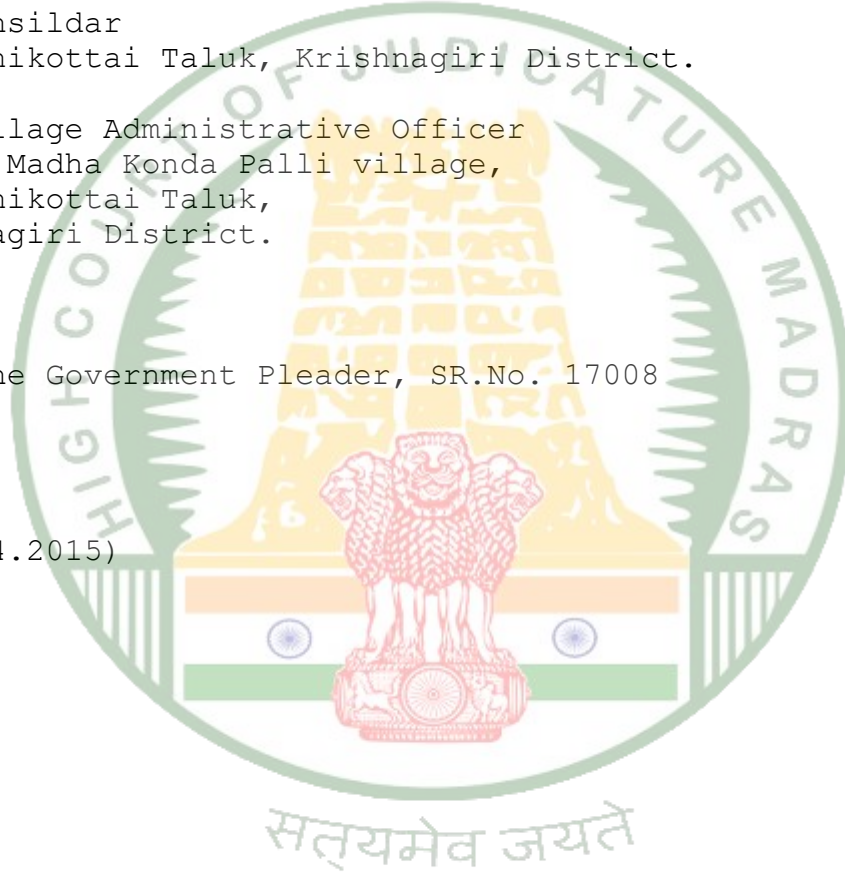
To

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1 CC to the Government Pleader, SR.No. 17008

W.P.No.8436/2015

LRS (CO)
PSI (06.04.2015)



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