

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2015

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION No.19608 of 2013

V.Kamalakaran

...Petitioner

Vs

1 The Assistant Settlement Officer (North)
Office of the Principal Secretary &
Commissioner of Land Survey & Settlement,
Chepauk, Chennai - 600 005.

2 The Tahsildar
Taluk Office
Thirukazhukundram,
Kancheepuram District.

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to implement the order in SR15/2011/E2/8525/2011/Lawxxvi/1948, dated 06.02.2012 as per the petitioner's representations dated 07.03.2012, 19.12.2012 and 14.05.2013, by making necessary changes in the Village and Taluk Accounts, in view of the orders passed by this Court in W.P.No.6383 of 2010, dated 29.9.2010 and W.P.No.29465 of 2012, dated 2.11.2012 and thereby to issue a Patta in respect of the Land measuring to an extent of 6.75 hectare, comprised in Survey No.57/2, 62/6, situated at Nerumbur Village, Thirukazhukundram Taluk, Kancheepuram District in favour of the petitioner.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.D.Suriya Narayanan
Government Advocate

ORDER

This Writ Petition is filed, for issuance of Writ of Mandamus, directing the second respondent to implement the order passed by the first respondent, dated 06.02.2012, based on the petitioner's representations, and to issue Patta in favour of the petitioner in respect of the land, measuring to an extent of 6.75 hectare, comprised in Survey Nos.57/2, 62/6, situated at Nerumbur Village, Thirukazhukundram Taluk, Kancheepuram District in favour of the petitioner.

2. At the outset, the learned counsel appearing for the petitioner would submit that the issue involved in this Writ Petition is squarely covered by a decision rendered by this Court in W.P. No.29465 of 2012, on 02.11.2012. The learned counsel for the petitioner also annexed a copy of that order, dated 02.11.2012, in the form of typed set of papers for reference of this Court.

3. A perusal of the order relied upon by the learned counsel for petitioner would show that the learned Single Judge, after ascertaining from the learned Government Advocate appearing for respondents that no Appeal was filed against the order passed by the first respondent, disposed of the said Writ Petition. For better appreciation, the operative portion of the order rendered in the said Writ Petition is extracted hereunder:-

" In view of the said submission, there is no legal impediment to pass an order in the application submitted by the petitioner seeking implementation of the order dated 2.11.2011. Hence, the second respondent is directed to implement the said order of the first respondent, as requested by the petitioner in its representation dated 6.4.2012, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with above direction. No costs."

4. Considering the fact that following the order, dated 2.11.2012, (quoted supra) several Writ Petitions were disposed of by this Court, coupled with the further fact that the learned Government

Advocate for respondents has no objection in following the order relied upon by the learned counsel for the petitioner, the present Writ Petition is also disposed of, on the same line, i.e., directing the second respondent to implement the order passed by the first respondent based on the petitioner's last made representation dated 14.05.2013, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Assistant Settlement Officer (North)
Office of the Principal Secretary &
Commissioner of Land Survey & Settlement,
Chepauk, Chennai - 600 005.
- 2 The Tahsildar
Taluk Office
Thirukazhukundram,
Kancheepuram District.

1 CC to Mr.M.Rajendiran, Advocate SR.No. 6460

1 CC to the Government Pleader, SR.No. 6659

W.P.No.19608 of 2013

RV (CO)
PSI(03.03.2015)

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