



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2015

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.19870 of 2015

S.M.Michael

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Manamadurai Taluk,
Sivagangai District.

... Respondents

PRAYER:- Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent herein to dispose of the petitioner's appeal dated 14.09.2015 within the time stipulated by this Court.

For Petitioner	: Mr.Veera Kathiravan
For Respondents	: Mr.J.Gunaseelan Muthiah Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus directing the first respondent herein to dispose of the petitioner's appeal dated 14.09.2015 for issuance of patta in respect of Survey No.50/3 having extent of 7.58 acres (3.02.0 hectares), Karisalkulam Village.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondents.

3. The learned counsel for the petitioner in support of his prayer submitted that the petitioner has been in possession and enjoyment of the land in question. The Tahsildar also issued B memo in respect of the above property. On receipt of the same, the petitioner has also remitted taxes for the enjoyment of the poramboke land and the said land has been classified as assessed



waste. Therefore, the petitioner is eligible to get assignment patta in respect of the said property by way of regularization of encroachment as per order issued by the Government of Tamil Nadu. The petitioner requested the second respondent to issue assignment patta in his favour as per Revenue Standing Order 15 dated 03.01.2012. But till date, the respondents have not come forward to issue patta to the petitioner.

4. It is at this point of time, the learned Government Advocate appearing for the respondents submitted that the present prayer in the Writ Petition is completely misconceived, since the Tahsildar has already considered the request of the petitioner by passing a speaking order holding that the land of the petitioner has been wrongly classified as "M.Karisalkulam Kanmai" instead of Chinnakarisal patta land, therefore, no patta can be granted. I find full merit on this submission.

5. A mere reading of the order of the Tahsildar completely gives answer to the petitioner. Accordingly, the Writ Petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

2. The Tahsildar,
Taluk Office,
Manamadurai Taluk,
Sivagangai District.

+1cc to Mr. Veera Kathiravan, Advocate Sr.No. 64243

+1cc to Spl. Government Pleader Sr.No. 64280

ps

AA/AMF/19.11.2015/2p-5c

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