

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10090 of 2016

A.Subramani

... Petitioner

Vs.

1. The District Collector of Krishnagiri,
Collectorate, Krishnagiri.
 2. The Revenue Divisional Officer,
Krishnagiri.
 3. The Tahsildar,
Taluk Office, Krishnagiri.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent namely The Tahsildar of Krishnagiri to consider the petition dated 21.09.2015 submitted by the petitioner and take necessary action to measure and issue the patta in favour of the petitioner within a time stipulated by this Hon'ble Court.

For Petitioner : Mr.V.Nicholas
For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

सत्यमेव जयते
O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the third respondent/ The Tahsildar of Krishnagiri to consider the petition dated 21.09.2015 submitted by the petitioner and take necessary action to measure and issue patta in favour of the petitioner within a time stipulated by this Court.

3.In the petition it has been stated that the petitioner purchased an extent of 17 cents (7412 sq.ft.) out of 70 cents in

S.No.476/1 (Sub Division No.476/1A1C) in Agasipalli Village, Krishnagiri Taluk and District from one Shaib Bi wife of K.S.Abdul Kuthoos and seven others under a sale deed dated 18.05.2011 and registered as document no.1719 of 2011 in the office of the Joint Sub Registrar No.II, Krishnagiri. Again, the petitioner purchased an extent of 13 cents (5668 sq.ft.) out of 70 cents in S.No.476/1 (Sub Division No.476/1A1C) in Agasipalli Village, Krishnagiri Taluk and District from S.Mohamed Hussain, the Power Agent of Shaib Bi wife of K.S.Abdul Kuthoos and seven others under the sale deed dated 26.09.2011 and registered as document no.3328 of 2011 in the office of the Joint Sub Registrar No.II, Krishnagiri and out of the 30 cents, an extent of 193sq.mr. was acquired by the National Highways and therefore, the petitioner became the owner of the remaining extent in S.No.476/1 (Sub Division No.476/1A1C) in Agasipalli Village, Krishnagiri Taluk and District.

4.It is further stated that on 16.09.2015, the petitioner approached the Tahsildar of Krishnagiri for separate patta and the same was not considered. Hence, the petitioner once again sent a petition dated 21.09.2015 with copies to the District Collector of Krishnagiri and the Revenue Divisional Officer, Krishnagiri and the Revenue Divisional Officer vide memo dated 07.10.2015 instructed the Tahsildar of Krishnagiri to take necessary steps in respect of the petitioner's petition and even thereafter, no steps have been taken. Hence, the petitioner has come forward with this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

6.This Court without going into the merits of the claim made by the petitioner, directs the petitioner to give a fresh copy of the petition along with a copy of this order to the third respondent within a period of one week from the date of receipt of a copy of this order and the third respondent on receipt of the same, is directed to consider the same and pass appropriate orders with regard to issuance of patta to the petitioner within a period of six weeks thereafter.

7.It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner. The writ petition is disposed of accordingly. No costs.
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-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The District Collector of Krishnagiri,
Collectorate, Krishnagiri.

2. The Revenue Divisional Officer,
Krishnagiri.

3. The Tahsildar,
Taluk Office, Krishnagiri.

+ 1 cc to M/s.V.Nicholas, Advocate, SR 17405

+ 1 cc to Government Pleader, High Court, Madras SR 17757

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