

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10248 of 2016

K.Ramasamy

... Petitioner

Vs

The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Mettur, Salem District.

3.The Tahsildar,
Mettur, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to directing the third respondent to issue patta in the name of the petitioner at Survey No.297/2 for the total extend of land of 2.25 acre at Vanavasi Village, Mettur Taluk, Salem District in view of the petitioner's representation dated 10.02.2016.

For Petitioner : Mr.A.Esakkiappan

For Respondents : Mr.M.Dig Vijay Pandian, AGP.

ORDER

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the third respondent to issue patta in the name of the petitioner at Survey No.297/2 an total extend of land of 2.25 acre at Vanavasi village, Mettur Taluk, Salem District in view of the petitioner representation dated 10.02.2016.

3.It is the case of the petitioner that his grandfather and father are doing agriculture in S.No.297/2 to an total extent of 2.25 acres at Vanavasi Village, Mettur Taluk, Salem District for the past 80years. The petitioner is in possession and enjoyment of the said land, after the demise of his grand father and father, now the petitioner is doing agricultural operations in the said land. The petitioner has also obtained electricity connection in his name and paying electricity charges and moreover property tax stood in the name of the petitioner. The petitioner made several request to the respondents to issue patta in his name for the said land, but nothing has been considered so far. Recently, the petitioner submitted an application dated 10.02.2016 stating that the land belong to the petitioner's grand father and father, after their demise, the petitioner is in possession and enjoyment of the said land and requested the respondents for issuance of patta in his favour, but no order has been passed till date. Hence, the petitioner filed the present writ petition.

4.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

5.Considering the facts and circumstances and without going into the merits of the same, this Court directs the third respondent to consider the petitioner's representation dated 10.02.2016, on merits and in accordance with law, within a period of twelve weeks, from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner as well as the necessary parties, if any. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

6.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Salem District, Salem.

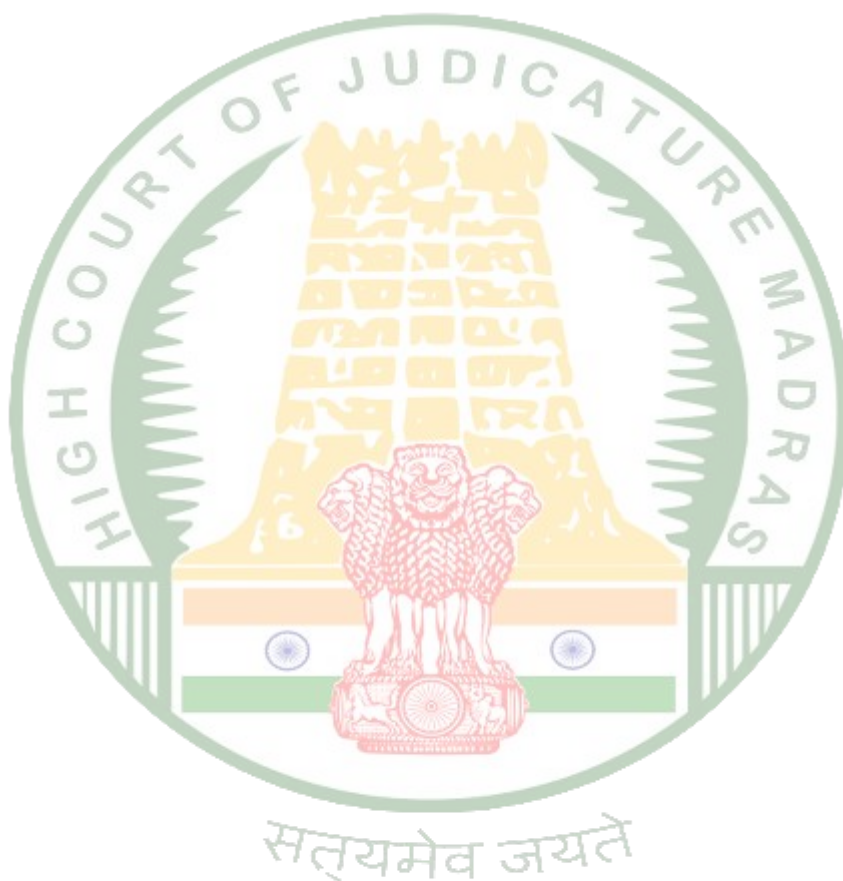
2.The Revenue Divisional Officer,
Mettur, Salem District.

3.The Tahsildar,
Mettur, Salem District.

+1 cc to Mr.Esakkiappan, Advocate, sr.14234
+1 cc to Government Pleader, sr.19370

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kra 11.04.2016



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