

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2016

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10485 of 2016
and MP.No.9204 of 2016

Elangovan

... Petitioner

Vs.

The Tahsildar
Anaicut Taluk,
Vellore District.

... Respondent

Writ petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus to direct the respondent to issue the patta in favour of the petitioner comprising in Nanja Survey No.296/A Admeasuring about 1 acre, situated at Keezhachur Village, Anaicut Taluk, Vellore District based on the representation dated 26.02.2016.

For Petitioners : Mr.M.Rajendran
For Respondent : Mr.K.Thangapandi, GA.

O R D E R

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

2.The petitioner has come forward with the present Writ Petition seeking for issuance of mandamus to direct the respondent to issue the patta in favour of the petitioner comprising in Nanja Survey No.296/A admeasuring about 1 acre, situated at Keezhachur Village, Anaicut Taluk, Vellore District based on the representation dated 26.02.2016.

3.The petitioner submits that the property comprised in Nanja Survey No.296/A admeasuring about 1 Acre at Keezhachur Village, Anaicut Taluk, Vellore District is in possession and enjoyment of the petitioner's family for more than four decades and carrying on cultivation in the said property without any hindrance. Based on the continuous possession and enjoyment, the petitioner applied for patta before the respondent. The petitioner made several representation to the revenue authority for issuance of patta, but none of the representation was

considered by the respondent. Hence, the petitioner filed the present writ petition.

4. Heard the submissions of learned counsel appearing for the petitioner and the learned Government Advocate who accepts notice on behalf of the respondent.

5. Considering the facts and circumstances and without going into the merits of the same, this Court directs the petitioner to submit fresh representation along with all necessary documents before the respondent, within two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to consider the representation of the petitioner and it is for the respondent to pass appropriate orders purely on merits and in accordance with law, within a period of twelve weeks, thereon, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner.

6. The writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To
The Tahsildar
Anaicut Taluk,
Vellore District.

+1 cc to Mr.M.Rajendran Advocate sr.17895/16
+1 cc to Government Pleader sr.18072/16

W.P.No.10485 of 2016

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