

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10989 of 2016

Govindaraj

.. Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Tahsildar,
Pennagaram Taluk,
Dharmapuri.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to issue patta in favour of the petitioner in respect of land in Survey No.484 of 15, Parvathanahalli Village, Pennagaram Taluk, based on the petitioner's representation, dated 22.02.2016.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.M.Dig Vijay Pandian, Addl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to issue patta in favour of the petitioner in respect of land in Survey No.484 of 15, Parvathanahalli Village, Pennagaram Taluk, based on the petitioner's representation, dated 22.02.2016

2. It is the case of the petitioner that he is a farmer and he is in possession and enjoyment of 21 cents of land in Survey No.484 of Parvathanahalli Village and cultivating in the said land for the past 30 years. The said land is punja land and as per the quality of soil and availability of water, the petitioner is cultivating corn in the said land. The respondents have recognised the petitioner's possession by entering his name and details of the cultivation in the Adangal Register, wherein the details of the possession, cultivation, etc., are found in Fasli as early as 1395, which is almost 30 years. It is further stated by the petitioner that he paid tax upto Fasli 1423, which

is upto the year 2015. The petitioner is depending on the said land for his livelihood. The petitioner made a representation, dated 22.02.2016 to the respondents for issuance of patta. Since no action is taken by the respondents, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Considering the above factual aspects of the matter, without going into the merits of the case, this Court directs the respondents to consider the said representation of the petitioner, dated 22.02.2016, conduct enquiry and give an opportunity of personal hearing to the petitioner and other necessary parties and thereafter pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondents to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.
cs

s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Tahsildar,
Pennagaram Taluk,
Dharmapuri.

+ 1 cc to Mr.M.Selvam, Advocate, SR 18803

+ 1 cc to Govt.Pleader, High Court, Madras SR 19005

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