

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.11570 of 2016

A.Arumugam

... Petitioner

vs.

1.The Tahsildar,
Tirupattur Taluk,
Vellore District.

2.The District Collector,
Vellore District.

3.The Zonal Deputy Tahsildar,
Tirupattur Taluk,
Vellore District.

4.The Head Surveyor,
Tirupattur Taluk,
Vellore District.

5.The VAO,
Tirupattur,
Su. Pallipattu,
Tirupattur Taluk,
Vellore District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to grant Sub Division patta name transfer to the petitioner's name in Old S.No.170, New Sub Division S.No.170/1, 170/2, 170/3, 170/4, 170/5 and Pallipattu Old S.No.59, New Sub Division S.No.59/3B, 59/3C, 59/4A, 59/4B, 59/4C situated in S.Pallipattu Village, Tirupattur Taluk, Vellore District within a stipulated time.

For Petitioner : Ms.A.Anusuya

For Respondents : Mr.R.A.S.Senthil Vel,
Addl. Govt. Pleader.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to grant Sub Division patta in his name in Old S.No.170, New Sub Division S.No.170/1, 170/2, 170/3, 170/4, 170/5 and Pallipattu Old S.No.59, New Sub Division S.No.59/3B, 59/3C, 59/4A, 59/4B, 59/4C situated in S.Pallipattu Village, Tiruppattur Taluk, Vellore District within a stipulated time.

3. It is the case of the petitioner that he is the absolute owner of the property situated in Old S.No.170, New Sub Division S.No.170/1, 170/2, 170/3, 170/4, 170/5 and Pallipattu Old S.No.59, New Sub Division S.No.59/3B, 59/3C, 59/4A, 59/4B, 59/4C situated in S.Pallipattu Village, Tiruppattur Taluk, Vellore District, having purchased the same by way of a registered sale deed dated 3.12.2013 before the Sub Registrar, Tiruppattur, Vellore District vide document No.11785/2013. The said sale deed was executed by the learned Principal District Judge, Vellore as per the order made in Ar.O.P.No.8/2012. From the said date onwards, the petitioner is in possession and enjoyment of the said property. During the second week of January, the petitioner approached the respondents 4 and 5 in person, requesting them to grant sub division patta in his name. But, the fifth respondent did not respond to the said oral requisition and the same is still pending with him. Thereafter, the petitioner submitted an online application to the third respondent on 11.2.2016 and the same was also not considered. Finally, he submitted online applications to the first respondent on 16.2.2016 and 7.3.2016 and the same was also not considered. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the petitioner to give a fresh representation, along with a copy of this order to the first respondent, within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the first respondent is directed to consider the same and pass appropriate orders / take appropriate action, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of

twelve weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the first respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Tahsildar,
Tirupattur Taluk,
Vellore District.

2.The District Collector,
Vellore District.

3.The Zonal Deputy Tahsildar,
Tirupattur Taluk,
Vellore District.

4.The Head Surveyor,
Tirupattur Taluk,
Vellore District.

5.The VAO,
Tirupattur,
Su. Pallipattu,
Tirupattur Taluk,
Vellore District.

1 cc to M/s. A. Anusuya, SR. 19981

1 cc to Government Pleader, Sr. 19677

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