

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12596 of 2016

C.John Peter

.. Petitioner

Vs.

1. The District Collector,
Tiruvannamalai District.
2. The Tahsildar,
Kilpennathur Taluk Office,
Tiruvannamalai District.
3. The Surveyor,
Kilpennathur Taluk Office,
Tiruvannamalai District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second and third respondents to consider and dispose of the representation, dated 03.08.2015 within time limit to be framed by this Court to measure, sub-divide and change the patta in the name of the petitioner's land in S.Nos.33.2A and 34.2 situated in Sannipundi Village, Tiruvannamalai District.

For Petitioner : Mr.K.Narayanan

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 second and third respondents to consider and dispose of the representation, dated 03.08.2015 within time limit to be framed by this Court to measure, sub-divide and change the patta in the name of the petitioner's land in S.Nos.33.2A and 34.2 situated in Sannipundi Village, Tiruvannamalai District.

2. It is the case of the petitioner that he purchased the land from one Francis, vide sale deed No.1343 of 2008, dated 23.06.2008 of an extent of 1325 Sq.Ft. and has been in continuous possession and enjoyment without any hindrance from the date of purchase. All the Revenue Records stand in the name of the vendor-Francis and the said land was assigned to the

above said Francis by way of free patta scheme and vide proceedings in No.A/6006/79 and the said Francis was in possession from the date of assignment for more than two decades till 22.06.2008; after completion of statutory period of ten years, as the said Francis acquired the right to transfer the land, the petitioner purchased the said land from him. In order to measure and sub-divide the land and to change the patta in the petitioner's name in respect of the above said land, he made a representation, dated 03.08.2015 to the first and second respondents. As no action is taken by the first and second respondents, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the second respondent to consider the said representation of the petitioner, dated 03.08.2015, conduct enquiry, give an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of six 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 second respondent to decide the same.

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

Sd/-

Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

WEB COPY

cs

To

1. The District Collector,
Tiruvannamalai District.
2. The Tahsildar,
Kilpennathur Taluk Office,
Tiruvannamalai District.
3. The Surveyor,
Kilpennathur Taluk Office,
Tiruvannamalai District.

+1cc to Mr.K. Narayanan, Advocate, S.R.No.22432

+1cc to the Government Pleader, S.R.No.22202

MSM(CO)
EU(26/04/2016)

W.P.No.12596 of 2016



WEB COPY