

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13420 of 2016

P.S.Murthi, I.T.S. (Retd)

... Petitioner

vs.

1.The District Collector,
Collectorate Building,
Sathuvachari,
Vellore-9.

2.The Revenue Divisional Officer,
Ranipet,
Pin code-632 401.

3.The Tahsildar,
Walaja Taluk Office,
Walaja - 632 510.

4.The Village Administrative Officer,
Mukundarayapuram,
Walaja,
Pincode - 632 405.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to consider the petitioner's representation dated 11.7.2015 in accordance with law.

For Petitioner : Ms.B.Sridevi

For Respondents : Mrs.P.Rajalakshmi,
Govt. Advocate.

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 consider his representation dated 11.7.2015 in accordance with law.

3. It is the case of the petitioner that he is the absolute owner of the land measuring to an extent of 1.67 acres in S.Nos.475/10, 476/6, 476/7 situated at Mukundarayapuram, Walajapet Taluk, North Arcot District, having purchased the same by way of sale deed dated 11.8.1981 vide document No.4873 of 1981 from one Durai Kounder, Murugan and Kumarasamy. Right from the date of purchase, he has been in possession and enjoyment of the same. However, he was issued with patta only for 1.47 acres of land and patta was not issued for the remaining 20 cents. Hence, for the past 12 years, he has made several representations to the respondents to issue patta for the remaining 20 cents of land. But, no action was taken on the said representations. Thereafter, he received a notice from the office of the Revenue Divisional Officer, Ranipet, on 27.12.2014 asking him to appear in person on 26.12.2014 along with necessary documents. Since he has received the notice only on 27.12.2014, he could not appear before the Revenue Divisional Officer, Ranipet, on 26.12.2014. However, he was informed that an order was passed on 26.12.2014. The said order was passed without hearing the petitioner and the said order was also not communicated to the petitioner. Finally, the petitioner made a representation dated 11.7.2015 to the respondents to issue patta in his favour for the remaining 20 cents of land. But, till date, the respondents have not taken any action on the said representation. 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 Government Advocate, 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 third respondent to consider the representation of the petitioner dated 11.7.2015 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 eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the

petitioner and it is for the third 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/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Collectorate Building,
Sathuvachari,
Vellore-9.
 - 2.The Revenue Divisional Officer,
Ranipet, Pin code-632 401.
 - 3.The Tahsildar,
Walaja Taluk Office,
Walaja - 632 510.
 - 4.The Village Administrative Officer,
Muknudarayapuram, Walaja, PinCode 632 405.
- +1cc to Mr.B.Sridevi, Advocate, S.R.No.23068
+1cc to the Government Pleader, S.R.No.23174

W.P.No.13420 of 2016

ev(CO)
srg(28/04/2016)

WEB COPY