

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.14280 of 2016

S.Mallammal

... Petitioner

Vs.

1. The District Collector,
Vellore District,
Vellore.

2. The Tahsildar,
Vaniyampadi Taluk,
Vaniyampadi,
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 consider and pass orders on the representation of the petitioner, dated 30.06.2015, in respect of inclusion of her name in the Village "A" Register, within a time frame.

For Petitioner : Mr.J.Muthukumaran

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The petitioner has come up with the present Writ Petition for a Mandamus, directing the respondents to consider and pass orders on the representation of the petitioner, dated 30.06.2015, in respect of inclusion of her name in the Village "A" Register, within a stipulated period of time.

2. It is the case of the petitioner that she is a permanent resident of No. 3/372, M.Kollaikottoy, Madhananjeri Village, Vaniyampadi Taluk, Vellore District. After the death of her husband, she purchased punja land, measuring an extent of 2.50 Hectares in Survey No.1/5 in Madhananjeri Village,

Vaniyampadi Taluk, Vellore District. Ever since the date of purchase, the petitioner is in absolute possession and enjoyment of the property. The patta pass book has been issued to the petitioner for the above said landed property under Rule 5 of the Tamil Nadu Patta Pass Book Act, 1983, by the Tahsildar, Vaniyambadi Patta Pass Book No.43/103262, on 30.09.2005. In the Village Adangal, for Fasli Account 1414, the petitioner's name is mentioned in Column 6 of the register. The petitioner is now cultivating paddy and coconut plantation. The petitioner has been making several representations to the 2nd respondent/Tahsildar, Vellore District, to take action to enter her name in Village "A" Account. The last of such representation was made on 30.06.2015 to the 1st respondent/District Collector, Vellore District. However, till date, no order has been passed by the 1st respondent. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard Mr.J.Muthukrishnan, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who took notice for the respondents.

4. Irrespective of the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court directs the petitioner to give a copy of the representation dated 30.06.2015, enclosing a copy of this order, to the 2nd respondent/Tahsildar, Vellore District, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 2nd respondent is directed to consider the representation of the petitioner, dated 30.06.2015, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner. It is for the 2nd respondent to pass appropriate orders purely on merits and in accordance with law.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

paa

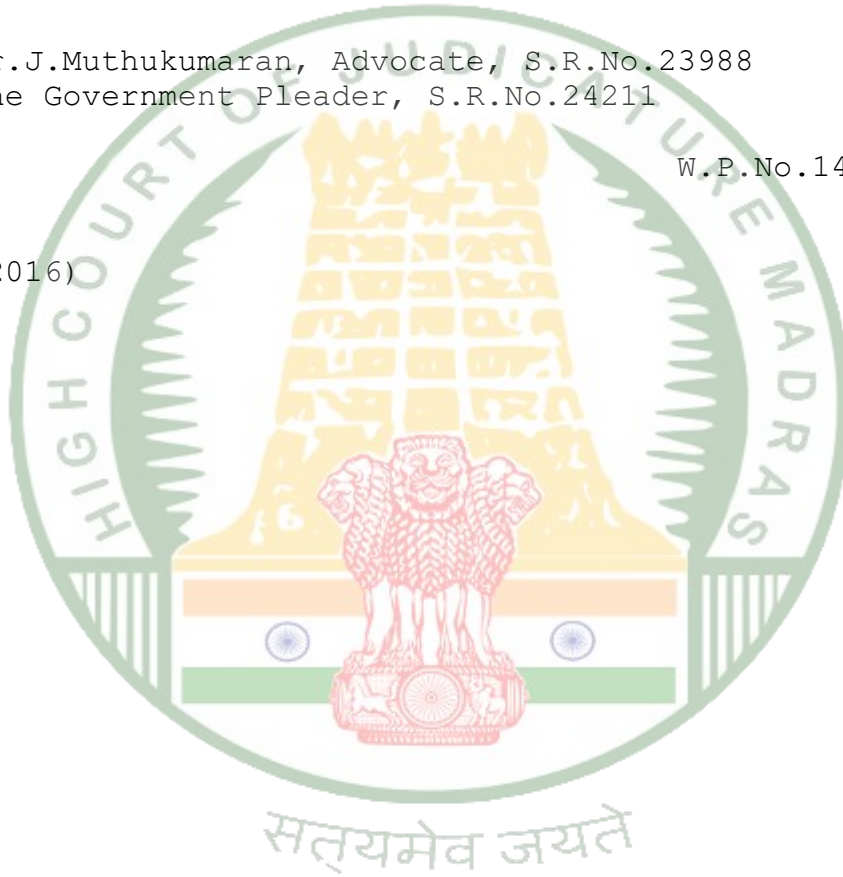
To

1. The District Collector,
Vellore District,
Vellore.
2. The Tahsildar,
Vaniyampadi Taluk,
Vaniyampadi,
Vellore District.

+1cc to Mr.J.Muthukumaran, Advocate, S.R.No.23988
+1cc to the Government Pleader, S.R.No.24211

W.P.No.14280 of 2016

AD(CO)
CA(10/05/2016)



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