

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.14800 of 2016

B.C.Radhakrishnan

... Petitioner

vs.

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Sub Collector,
Hosur,
Krishnagiri District.

3.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

4.The Tahsildar,
Hosur Taluk,
Krishnagiri 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 issue patta for the land at S.No.1016, Chennathur Village, Hosur Taluk, Dharmapuri District, to an extent of 3.84 acres by considering the petitioner's representation dated 27.2.2016.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.V.Jayaprakash Narayanan,
Spl. 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 issue patta for the land at S.No.1016, Chennathur Village, Hosur Taluk, Dharmapuri District, measuring to an extent of 3.84 acres by considering his representation dated 27.2.2016.

3. It is the case of the petitioner that his father B.N.Chinna Krishna Chetty had purchased a property at S.No.1016, Chennathur Village measuring to an extent of 3.84 acres in the auction conducted by the District Munsif Court, Hosur, in the year 1971. From the date of purchase, they are in possession and enjoyment of the said property. While so, one Muniappa, son of Baskar had created forged power of attorney and is creating encumbrance over the said property. Further, some anti-social elements had entered into the property and are attempting to put up construction. Hence, the petitioner has given a representation to the respondents herein and the first respondent vide his proceedings dated 9.2.2016, forwarded the same to the Inspector of Police, Anti Land Grabbing Cell, Krishnagiri, for further action. Thereafter, he approached the respondents repeatedly to issue patta in their favour. But, nothing has been done by the respondents. Finally, the petitioner gave a representation dated 27.2.2016 to the respondents. But, till date, no action has been taken 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 Special 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 fourth respondent to consider the representation of the petitioner dated 27.2.2016 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 merits of the claim projected by the petitioner and it is for the fourth 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(CS II)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Sub Collector,
Hosur,
Krishnagiri District.

3.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

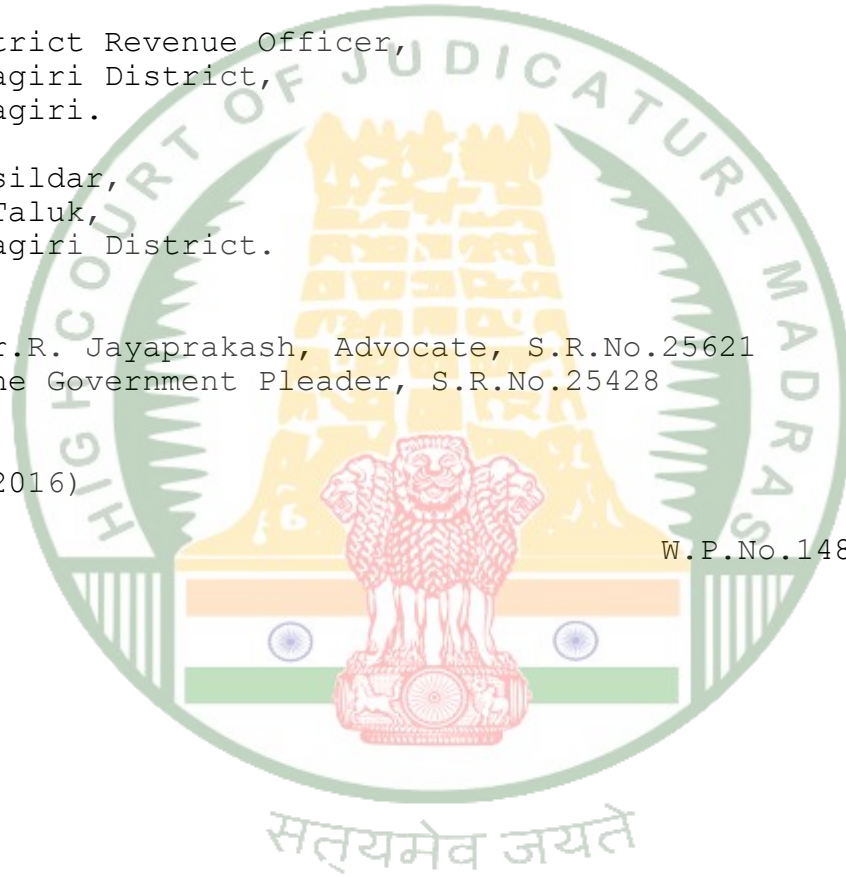
4.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

+lcc to Mr.R. Jayaprakash, Advocate, S.R.No.25621

+lcc to the Government Pleader, S.R.No.25428

RSY(CO)
EU(12/05/2016)

W.P.No.14800 of 2016



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