

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.16112 of 2016

P.Rathinam

... Petitioner

Vs.

1. The Thasildar
Kadyampatty Taluk
Salem District

2.The Block Development Officer
Kadyampatty, Salem District

3.The Panchayat President
Rep. By B.Chinnappan
S/o.Balakrishna Reddy
Panchayat President
Gundukal Village
Salem District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondent to issue patta to the petitioner and also directing the third respondent herein not to interfere with the petitioner's peaceful possession and enjoyment of the said land in Survey No.61/1 and 61/2.

For Petitioner :Mr.R.Lokeshwaran

For Respondents:Mr.R.Govindasamy
Special Government Pleader for R1

Mr.S.V.Duraisolaimalai
Additional Govt. Pleader for R2 and R3

O R D E R

Learned counsel appearing for the petitioner has invited the attention of this Court to the averments made in the affidavit filed in support of the petition and would submit that his father has acquired the landed property in S.No.61/1 classified as "Kallanguthu Poramboke" ad-measuring to an extent of 0.37.5

Hectares and in S.No.61/2 classified as "Kundru Poramboke" ad-measuring to an extent of 1.39.0 Hectares in Gundukal Village, Salem District and after his demise, he succeeded to the estate and cultivating the property.

2. Learned counsel appearing for the petitioner would further state that the third respondent, taking advantage of the local body, is trying to interfere with his possession and in order to substantiate his right over the property, the petitioner is in requirement of patta. In this regard, the petitioner has submitted a representation dated 14.04.2016 and since no orders have been passed, he has filed this writ petition.

3. Heard Mr.R.Lokeshwaran, learned counsel appearing for the petitioner, Mr.R.Govindasamy, learned Special Government Pleader appearing for the first respondent and Mr.S.V.Duraisolaimalai, learned Additional Government Pleader, who accepts notice on behalf of Respondents 2 and 3

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim made by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 14.04.2016 in accordance with law after putting on notice the concerned persons and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the persons concerned.

The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Thasildar,
Kadyampatty Taluk,
Salem District.

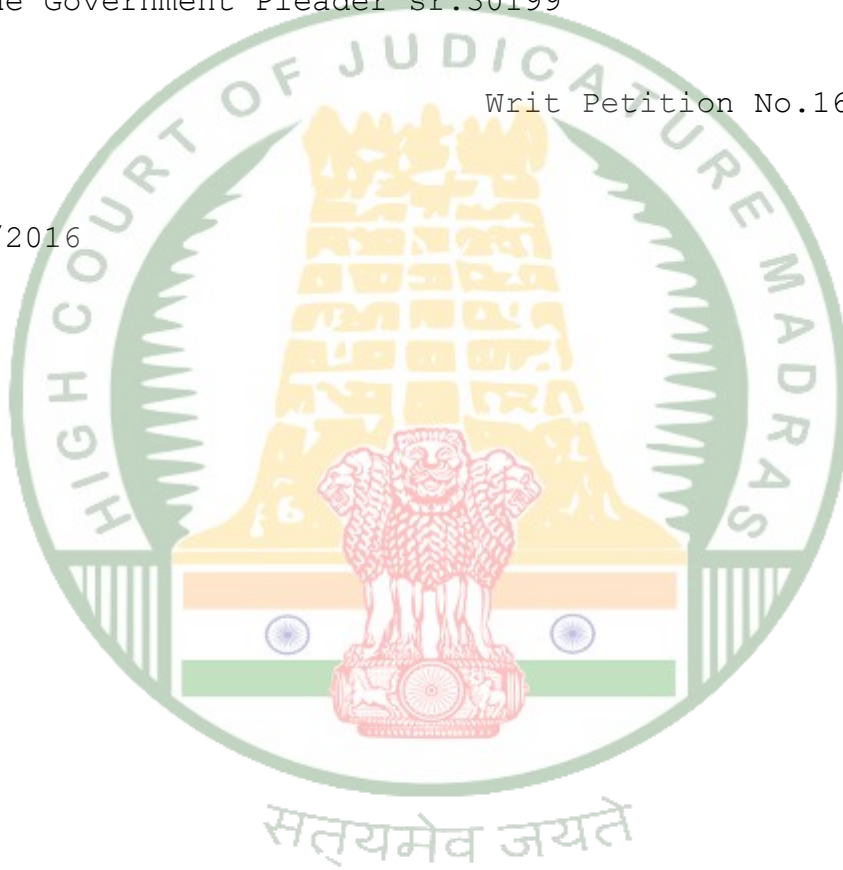
2.The Block Development Officer,
Kadyampatty, Salem District.

3.The Panchayat President,
Rep. By B.Chinnappan,
S/o.Balakrishna Reddy,
Panchayat President,
Gundukal Village,
Salem District.

+1cc to Mr.R.Lokeshwaran, Advocate sr.30012
+1cc to the Government Pleader sr.30199

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srg 16/06/2016



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