

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18878/2016

V.Vadivel

... Petitioner

Versus

1 The District Collector
Salem District, Salem.

2 The Revenue Divisional Officer
Attur 636 102, Salem District.

3 The Tahsildar
Attur Taluk, Attur 636102
Salem District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 26.03.2016 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam
For RR 1 to 3 : Mr.S.Pattabiraman, GA

O R D E R

By consent, the writ petition is taken up for final disposal.

2 The petitioner, in the affidavit filed in support of this writ petition, would state that his father, viz., Vaiyapuri, was in possession and enjoyment of 6.85 acres of land situated in Survey No.174/2, for more than 40 years and after his demise, his legal heirs, viz., Ramasamy, Vadivel [petitioner herein], Perumal, Chinnur and Rasammal, had partitioned the property by means of an oral partition and the petitioner was allotted one acre of land and he claims to be in enjoyment for the past 46 years. The petitioner would further state that in respect of the adjacent land owners, separate pattas have been issued and since the petitioner is an illiterate and is eking his livelihood by doing coolie work, he did not apply for the same

and would further state that he has also put up a superstructure and got electricity connection and is also subjected to statutory tax payments. The petitioner wanted to mortgage the land and for that purpose, when he approached the Bank officials, they insisted for separate patta. In this regard, the petitioner submitted a representation dated 26.03.2016 to the respondents and since the petitioner is not favoured with any response, he came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice on behalf of the respondents.

4 This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 26.03.2016 on merits and in accordance with law, after putting on notice the persons concerned 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 to the persons concerned.

5 The writ petition is disposed of with the above direction. No costs.

AP

s/d-

Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

To

1 The District Collector
Salem District, Salem.

2 The Revenue Divisional Officer
Attur 636 102, Salem District.

3 The Tahsildar
Attur Taluk, Attur 636102
Salem District.

+ 1 cc to Mr.C.Prakasam, Advocate SR 29961

+ 1 cc to Govt.Pleader SR 30183

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