

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19936/2016 & WMP.No.17188/2016

V.Aryamala

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Petitioner

Versus

1.The District Collector
Salem District, Salem.

2.The Tahsildar
Gengavalli Taluk
Salem District.

3.Periyasamy

4.Muthiyan

5.Ravi

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents 1 and 2 to grant patta in favour of the petitioner with respect of property situated at [Old No.69/1] Pagadapadi Village, Gengavalli Taluk, Salem District with Tamarind Tree, based upon the petitioner's representation dated 18.02.2016.

For Petitioner : Mr.M.J.Sundar

For RR 1 & 2 : Mrs. P.Rajalakshmi, GA

ORDER

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

2 The petitioner claims that the land ad-measuring to an extent of 2.60 cents and a tamarind tree situated in Old Survey No.69/1, Pagadapadi Village, Gengavalli Taluk, Salem District, is in his enjoyment for several years and the said property was in possession and enjoyment for over generations and the petitioner submitted a representation dated 18.02.2016 to the respondents 1 and 2 for issuance of patta and since no orders have been passed, she came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2, who would submit that there is a dispute between the petitioner and the private respondents, namely, the respondents 3 to 5, with regard to the ownership and possession of the land.

4 This Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 18.02.2016 on merits and in accordance with law, after putting on notice, the respondents 3 to 5 and pass orders within a period of ten 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 respondents 3 to 5.

5 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Salem District, Salem.

2.The Tahsildar
Gengavalli Taluk
Salem District.

1 cc to The Government Pleader, sr.32457
1 cc to Mr.M.J.Sundar, Advocate, sr.32035

W.P.No.19936/2016

pa co
kra 27.06.2016