

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.7845 of 2013

K.Ayyadurai

.. Petitioner

Vs

1.The District Collector,
Salem District, Salem.

2.The Tahsildar,
Omalur Taluk, Salem District.

3.The Revenue Divisional Officer,
Mettur Division, Salem District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to revoke the reassigned patta vide No.1528 issued in respect of the petitioner's land comprised in Survey No.233/1A measuring to an extent of 0.61.00 hectares situated at North kadayampatti Village, Kadayampatti Firka, Omalur Taluk, Mettur Revenue Division, Salem District and restore the revenue records in his name as per patta bearing No.1017 issued by the second respondent within a time stipulated.

For Petitioner : Mr.G.Punniakotti

For Respondents : Mr.K.Balamurugan
Government Advocate.

सतगमेव जयते
O R D E R

The petitioner claims to be the owner of the property measuring an extent of 0.61.00 hectares comprised in Survey No.233/1A in patta No.1017 at Kadayampatti Village and Omalur Taluk, Salem District.

2. According to the petitioner, he is in possession and enjoyment of the said land for a considerable time. While that being so, the respondents without any notice to the petitioner, had sub-divided the petitioner's land in S.No.233/1A and granted patta No.1528. Since no notice was given to him at the time of sub division, the petitioner has given a representation dated 04.10.2012 to the respondents 2 and 3 seeking for cancelling the

sub division of the land into S.No.233/1A and patta No.1528. The third respondent had sent a letter dated 31.10.2012 to the second respondent directing him to conduct enquiry on the petitioner's representation. Since no action has been taken by the second respondent, the petitioner has given another representation to the Chief Secretary to Government, Land Administration Department, Ezhilagam, Chennai, who had forwarded the same to the 3rd respondent. However, no final orders have been passed on the same, till date. Hence, the petitioner has filed the present writ petition seeking for a direction to the respondents to revoke the reassigned patta No.1528 and restore the revenue records in his name as per patta No.1017.

3. Heard Mr.G.Punniyakotti, learned counsel appearing for the petitioner and Mr.K.Balamurugan, learned Government Advocate appearing for the respondents.

4. The learned counsel for the petitioner would submit that though the petitioner's representation has been forwarded to the third respondent way back on 31.10.2012, no orders have been passed till date. However, the learned counsel for the petitioner submits that the petitioner would be satisfied, if a suitable direction is issued to the respondents to consider the said representation and pass orders.

5. Under such circumstances, there shall be a direction to the third respondent to consider the petitioner's representation dated 04.10.2012 on its own merits and pass orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

kkd

To

1.The District Collector,
Salem District, Salem.

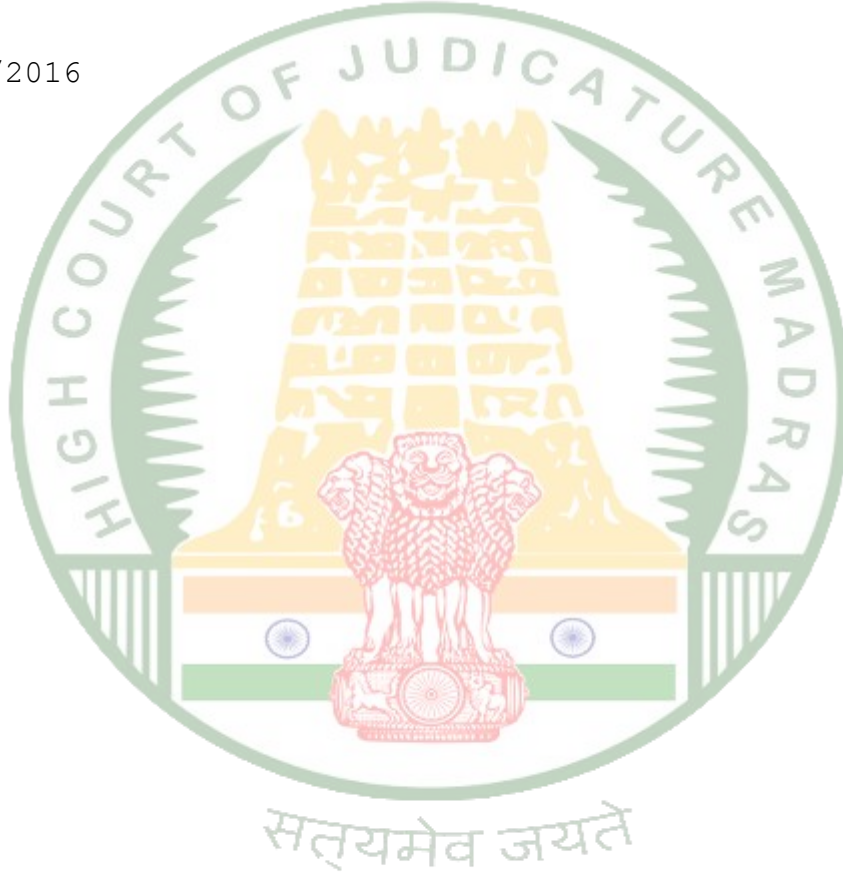
2.The Tahsildar,
Omalur Taluk, Salem District.

3.The Revenue Divisional Officer,
Mettur Division, Salem District.

+1cc to M/S G.Punniyokotti, Advocate Sr.65630
+1cc to The Government Pleader Sr.65866

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SK(CO)
RVR 29/12/2016



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