

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6864 of 2013
and M.P.No.1 of 2013

A.Ponnusamy

.. Petitioner

Vs

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Harur, Dharmapuri District.
- 3.The Tahsildar,
Harur, Dharmapuri District.
- 4.The Revenue Inspector,
Harur, Dharmapuri District.
- 5.The Village Administrative Officer,
Mampatti Village, Haru Taluk,
Dharmapuri District.
- 6.Thangaraj
- 7.Angammal
- 8.Amudha
- 9.Buvaneshwari
- 10.Camundeswari
- 11.Vimalajothi
- 12.Tamilarasi
- 13.Anjala
- 14.Janaki
- 15.Muniammal
- 16.Ponnammal
- 17.Jothi
- 18.Magesh
- 19.Dhanalakshmi
- 20.Ropa
- 21.Selvi
- 22.Chennammal
- 23.Sulochana
- 24.Tirumali

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25.Meena
26.Manjula
(R6 to R26 are impleaded as per order
dated 07.10.2015 in M.P.No.1 of 2015
in W.P.No.6863 of 2013)

.. 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 issue a patta to the petitioner in respect of the lands in Survey No.12/1, measuring to an extent of 0.60 acres situated in Idlapatti Village, Mampatti, within the Sub-Registration District of Harur, Registration District of Dharmapuri.

For Petitioner :J.Bharathiraja

For Respondents :V.S.Ramesh GA R1 to R5
T.Panchatsaram for R6 to 26

O R D E R

The petitioner claims to have given a representation to the respondents 1 to 3 dated 12.01.2013, claiming patta for an extent of 0.60 acres comprised in S.No.12/1 in Idlapatti Village, Mampatti Post, Harur Taluk, Dharmapuri District.

2. According to the petitioner, he has been in possession of the said land for considerable time and hence, has made an application for grant of patta. Since the same has not been considered, he has filed the present writ petition seeking for a direction to the respondent to issue a patta in his favour.

3. On the other hand, the learned counsel for the respondents 6 to 24 would submit that they are in possession of the entire lands in S.No.12/1 and that they had also filed similar applications seeking for issuance of patta in their favour. When their representation was not considered, they had filed a Writ Petition in W.P.No.25988 of 2014 dated 24.09.2014, seeking for a direction to the third respondent/Tahsildar, Harur, Dharmapuri District. This Court by an order dated 24.09.2014, had directed the Tahsildar to consider their representation on merits and pass orders in accordance with law.

4. The learned counsel for the respondents 6 to 26 would submit that in view of the objections raised by the petitioner in this writ petition, their claim is kept pending.

5. In the above circumstances and in view of the rival claim between the parties, it would be appropriate that a direction is given to the third respondent to consider the

petitioner's claim after giving due opportunity to all the parties concerned.

6. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 12.01.2013 seeking for a grant of patta in S.No.12/1 in Idlapatti Village, Mampatti Post, Harur Taluk, Dharmapuri District and pass orders in accordance with law. The said exercise shall be made after hearing all the parties interested in the said lands, including the respondents 6 to 26 herein and to pass necessary orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Dharmapuri District, Dharmapuri.
- 2.The Revenue Divisional Officer,
Harur, Dharmapuri District.
- 3.The Tahsildar, Harur, Dharmapuri District.
- 4.The Revenue Inspector,
Harur, Dharmapuri District.
- 5.The Village Administrative Officer,
Mampatti Village, Haru Taluk,

+1cc to Mr.J.BharathiRaja, Advocate Sr.63360

+1cc to the Government Pleader Sr.63914

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and M.P.No.1 of 2013

lrs[co]
srg 22/12/2016