

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29435 of 2016

M.K.Rajagopal

.. Petitioner

Versus

1.The Secretary to Government,
Revenue Department,
Fort St.George, Chennai 600 009.

2. The District Collector,
Collectorate,
Tiruvannamalai District,
Tiruvannamalai.

3. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.

4. The Revenue Divisional Officer,
Tiruvannamalai District,
Tiruvannamalai.

5. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.

6. The Inspector of Police,
Thachampatty Police Station,
Thiruvannamalai Taluk,
Thiruvannamalai District.

.. Respondents

Prayer:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the 2nd and 3rd respondents to consider and pass orders on the representation dated 27.04.2015 made by the petitioner relates to take appropriate action to assign the land comprised in Survey No.1/3A situated in Periyakallapadi Village & Panchayat, Tiruvannamalai Taluk, Tiruvannamalai District and to issue patta in favour of the petitioner.

For Petitioner : Mr.R.Chandrasekaran

For Respondents: Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2.The petitioner claims that he is the absolute owner of the agricultural land extend of 1.6 acres as well as 1.09.5 acres comprised in survey no. 1/3B situate at Periyakallapadi Panchayat, Tiruvannamalai Taluk and District and he regularly pays statutory levies and claims to be in possession and enjoyment of the said lands. The petitioner would further state that he has gifted a part of the patta land comprising in S.No.1/3B for formation of public road as well as Survey No.1/1C for formation of canal and therefore, he prays for assignment of some portion of the land in front of his land which is used by him to have access to the well and pumpset in his patta land. In this regard, the petitioner has also submitted a representation dated 27.04.2015 to the respondents and since he has not been favoured with any kind of response, he submitted yet another representation to the 1st respondent who in turn, vide letter dated 07.05.2015 has forwarded the same to the 2nd and the 2nd respondent, has in turn, forwarded the same to the 4th respondent who issued a direction to the 5th respondent to act on the representation and submit a report to him and despite, that no response is forthcoming and therefore, the petitioner has come up with the present writ petition.

3.Heard the submissions of the learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 6.

4.Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 5th respondent to act on the communication of the 4th respondent dated 04.01.2016 in Letter NO.A1/591/2016 and forward his report within a period of four weeks from the date of receipt of a copy of this order and the 4th respondent, on receipt of such report from the 5th respondent, is directed to consider the representation of the petitioner 27.04.2015 in accordance with law, after putting on notice, the person/s concerned and pass within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Pvs / AP

To

1.The Secretary to Government,
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Tiruvannamalai.

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5. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.

6. The Inspector of Police,
Thachampatty Police Station,
Thiruvannamalai Taluk,
Thiruvannamalai District.

1 cc to Mr.R.Chandrasekaran, Advocate, sr.48047

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