

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.38934/2016

Mr.S.K.Balasundaram

..Petitioner

Vs

1.The Tahsildar
Omalur Taluk
Salem District.

2.The Collector
Salem District.

3.The Village Administrative Officer
Tharamangalam, Omalur Taluk
Salem District.

4.The Revenue Divisional Officer
Mettur, Salem District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents herein to measure, mark the boundaries of the land and issue separate patta in the name of the petitioner for S.No.192/6A-672 sq.ft., S.No.192/5B-330 sqft and S.No.186/2F2-480 sq.ft., situate at New 5th Ward, Mottupatti Road in Tharamangalam Village, Omalur Taluk, Salem District.

For Petitioner : Mr.G.Surya Narayanan
For Respondents: Mr.P.Chinnadurai, GA

ORDER

Heard the learned counsel for the petitioner ; and Mr.P.Chinnadurai, learned Government Advocate who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner would state that he had purchased three lands from the respective vendors on various dates, comprised in S.No.192/6A, admeasuring to an extent of 672 sq.ft. vide Document No.263/2007, S.No.192/5B, admeasuring to an extent of 330 sqft [Document No.6245/2013] and S.No.186/2F2, admeasuring to an extent of 480 sq.ft. [Document No.782/2013], situate at New 5th Ward, Mottupatti Road in Tharamangalam Village, Omalur Taluk, Salem District,

registered on the file of the office of the Sub Registrar, Tharamangalam. While registering the above three Sale Deeds, the petitioner had applied for separate patta and also paid necessary fee along with the said document. It is the further submission of the petitioner that a joint patta was issued in respect of S.Nos.186/2F2 and 192/6A and the patta in respect of S.No.192/5B still stands in the name of his vendor. Hence, the petitioner submitted an application on 20.06.2016 to measure, mark boundaries and to issue separate patta in his name and he has also submitted another application dated 09.05.2016 for transfer of patta annexing all the documents. It is the further case of the petitioner that no dispute is pending as on date in respect of the said lands and that he is in peaceful possession and enjoyment of the properties since purchase. Since no response was forth coming, the petitioner preferred yet another representation on 24.10.2016 to the 2nd respondent / District Collector and though the said representation was received and acknowledged, he is yet to be favoured with any kind of response. Therefore, the petitioner is before this Court, by filing the present writ petition.

3 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 claim projected by the petitioner either in this writ petition or in his representation, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 24.10.2016 on merits and in accordance with law and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner.

सत्यमेव जयते

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4 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Tahsildar
Omalur Taluk
Salem District.
- 2.The Collector
Salem District.
- 3.The Village Administrative Officer
Tharamangalam, Omalur Taluk
Salem District.
- 4.The Revenue Divisional Officer
Mettur, Salem District.

+lcc to M/s. G. Surya Narayanan, Advocate, S.R.No.63687
+lcc to the Government Pleader, S.R.No.64372

NR(CO)
EU(09/12/2016)

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