

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2016

CORAM

THE HON'BLE Mr. JUSTICE M.SATHYANARAYANAN

W.P.No.43022 of 2016

B.Srinivasan

...Petitioner

-Vs-

1. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 600 009.
 2. The District Collector ,
Kancheepuram District.
 3. The Revenue Divisional Officer,
Chengalpattu Revenue Division,
Tambaram.
 4. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu,
Kancheepuram District.
- ...Respondents

This petition is filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to issue "free patta" to the petitioner, who hails from a rural area as per the orders of the Government of Tamilnadu, relating his agricultural landed properties comprised in Survey No.377/A1 situated at Kolathur Village, Chengalpattu Taluk, Kancheepuram District, measuring to an extent of 4 acres, within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.D.Nagarajan

For Respondents: Mr.R.S.Selvam, Government Advocate

O R D E R

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

2. The petitioner claims that he is in possession and enjoyment of land to an extent of 4 acres which is classified as poramboke, comprised in Survey No.377/A1 situated at Kolathur Village, Chengalpattu Taluk, Kancheepuram District and cultivating the land and by virtue of the same, he claims to be in possession and enjoyment of the land. The petitioner would further state that he is regularly paying the government kists/taxes and he has also obtained an electricity connection and his entire family members are depending upon the income earned out of the said agricultural operation. It is the specific case of the petitioner that the government has introduced a scheme to issue free patta to agricultural farmers and as such, he is entitled to get free patta. In this regard, the petitioner applied to the respondents 1 and 2 and the revenue authorities inspected the field and they also gave positive recommendation. But no orders have been passed so far. The petitioner also made a representation dated 28.07.2016 to the first respondent praying for issuance of free patta. Despite receipt of the acknowledgement on 04.08.2016, no order has been passed. Hence, the petitioner came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate, who accepts notice on behalf of the respondents.

4. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances of the case and without going into the merits of the contentions raised either in the representation or in the writ petition, directs the 4th respondent to consider and dispose of the petitioner's representation dated 28.07.2016 on merits and in accordance with law after giving on notice to the persons concerned, if any, and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 600 009.
2. The District Collector ,
Kancheepuram District.
3. The Revenue Divisional Officer,
Chengalpattu Revenue Division,
Tambaram.
4. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu,
Kancheepuram District.

+ 1 cc to Mr.D. Nagavajan, Advocate Sr.72902
+ 1 cc to the Government Pleader Sr.72968

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