

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.7706 of 2016

L.Subramani

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Salem District.

2. The District Revenue Officer,
Salem.

3. The Revenue Divisional Officer,
Attur Taluk, Salem District.

4. The Tahsildar,
Gangavalli Taluk,
Salem District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 4th respondent herein to consider the petitioner's representation dated 03.12.2015 and reminder representations dated 06.01.2016 and 19.02.2016 and also to issue the patta bearing S.No.177/3 situated in Kadampur Village, Gangavalli Taluk, Salem District in favour of the petitioner.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

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ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the fourth respondent herein to consider the petitioner's representations dated 03.12.2015, 06.01.2016 and 19.02.2016 and to issue patta in respect of the property in S.No.177/3 situated at Kadampur Village, Gangavalli Taluk, Salem District in his favour.

2. It is the case of the petitioner that his father had enjoyed the property in S.No.177/3 situated at Kadampur Village, Gangavalli Taluk, Salem District till his death on 03.07.2014 and thereafter, the petitioner has been in possession and enjoyment of the said property. Since no patta has been obtained in respect of the said property, the petitioner made representations dated 03.12.2015, 06.01.2016 and 19.02.2016 to all the respondents. However, till date, no action has been taken by the respondents. Therefore, the petitioner has approached this court with the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the fourth respondent to consider the representations of the petitioner dated 03.12.2015, 06.01.2016 and 19.02.2016, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders, with regard to grant of patta in respect of the property in S.No.177/3 situated at Kadampur Village, Gangavalli Taluk, Salem District to the petitioner. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the fourth respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate, Salem District.
2. The District Revenue Officer,
Salem.

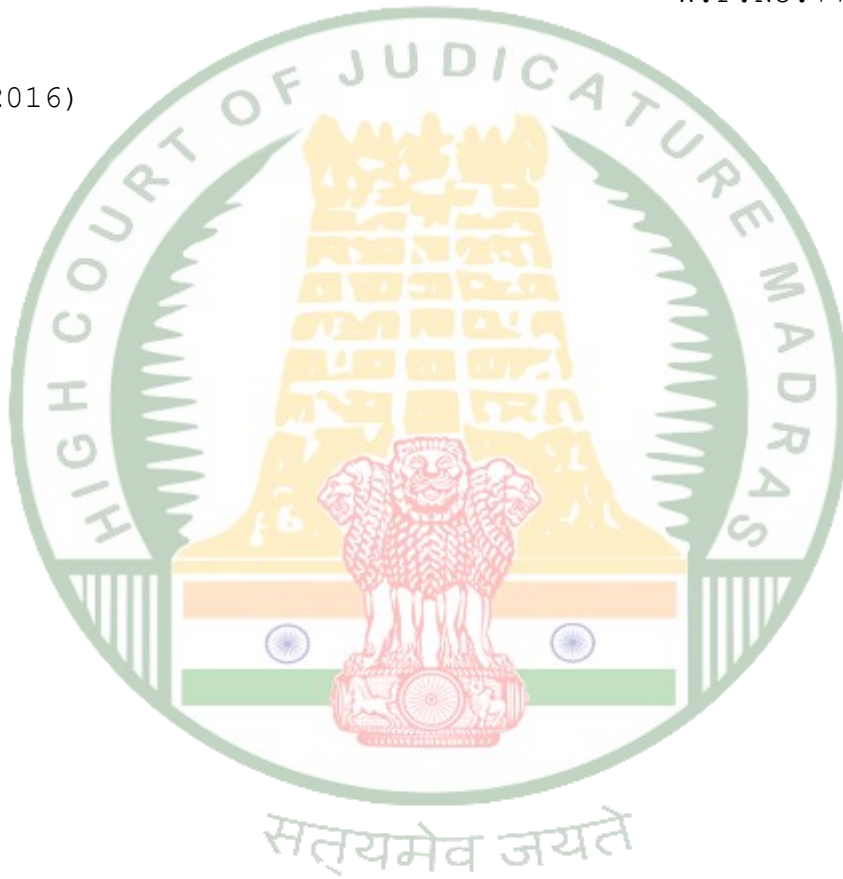
3. The Revenue Divisional Officer,
Attur Taluk, Salem District.

4. The Tahsildar,
Gangavalli Taluk,
Salem District.

+1cc to Mr.A.Rajakumar, Advocate, S.R.No.13147
+1cc to the Government Pleader, S.R.No.13755

W.P.No.7706 of 2016

CA(CO)
CA(17/03/2016)



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