

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.8726 of 2016

N.Lakshmipathy

.. Petitioner

Vs.

1. The Tahsildar,
Arakkonam Taluk,
Vellore District.

2. The Panchayat President,
Keezhakkuppam Panchayat,
Arakkonam Taluk,
Vellore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to dispose the written representation made on 27.11.2015 for issuing patta in favour of the petitioner, bearing Survey No.129/4.

For Petitioner : M/s.V.Pavel

For Respondents:Mr.V.Jayaprakash Narayanan, Spl.G.P. for R-1
Mr.N.Roofus Abraham, Govt. Advocate for R-2

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus to direct the first respondent to dispose of the written representation made on 27.11.2015 for issuing patta in favour of the petitioner, bearing Survey No.129/4.

2. It is the case of the petitioner that during the year 2001, his father Late Narasimhan created a hutment over the aforesaid property for a residential purpose. Since then, they have been paying tax to the Government by virtue of 'B' memo issued in favour of the petitioner's father by the respondents. On 28.12.2005, the petitioner made a written representation to the District Collector of Vellore and also to the Revenue Divisional Officer of Ranipet, stating the petitioner's indigent circumstances and also the inevitable condition of entitling patta in favour of the petitioner. In response to the

petitioner's representation, the Tahsildar of Arakkonam, under the direction of the aforesaid higher authorities, asked the petitioner to approach after getting consent from Keezhakuppam Panchayat Office. It is further stated by the petitioner that the written communication was given by the Tahsildar of Arakkonam to get formal written approval from Keezhakuppam Panchayat Office, but the staffs at Panchayat Office refused to give written approval to get patta from the Tahsildar. Hence, the petitioner made a representation, dated 27.11.2015 to the first respondent for the above relief. Since no action has been taken, the petitioner has filed the Writ Petition.

3. Taking into consideration the facts and circumstances of the case, this Court directs the first respondent to dispose of the said representation, dated 27.11.2015 of the petitioner and after conducting enquiry and giving an opportunity of personal hearing to the petitioner and necessary parties, including the second respondent herein, pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the first respondent to decide the same.

4. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

Copy to

1. The Tahsildar,
Arakkonam Taluk,
Vellore District.

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2. The Panchayat President,
Keezhakkuppam Panchayat,
Arakkonam Taluk,
Vellore District.

+1cc to Mr.V.Pavel, Advocate sr.14897

W.P.No.8726 of 2016

svi (CO)
srg (15/03/2016)



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