

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.9486 of 2016

Malaiyandi

... Petitioner

vs.

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to issue patta in favour of the petitioner in respect of his property in S.No.272 of Arasukuppam Village, Denkanikottai Taluk based on the petitioner's representation dated 16.4.2015.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.S.V.Durai Solai Malai
Addl. Govt. Pleader.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to issue patta in his favour in respect of the property in S.No.272 of Arasukuppam Village, Denkanikottai Taluk based on his representation dated 16.4.2015.

3. It is the case of the petitioner that he has purchased a property measuring to an extent of 35 cents of Punja land in S.No.272, Arasu Kuppam Village from one Subramaniam for valuable consideration under a registered sale deed dated 14.7.1997 vide document No.1468/1997 on the file of SRO, Denkanikottai. From the date of purchase, he is in possession and enjoyment of the same. Thereafter, he approached the second

respondent with necessary documents for change of patta in his name. He has also paid the necessary charges for change of patta. But, the second respondent has not come forward to survey the land to issue patta. Hence, the petitioner sent a letter to the Chief Minister's Cell and the same was referred to the Additional Director of Land Survey Register and the Additional Director of Land Survey Register by his letter dated 14.5.2015 directed the Assistant Director, Land Survey Department, Krishnagiri to look into the matter. The Assistant Director, Land Survey Department, Krishnagiri, by his letter dated 23.4.2015 directed the second respondent to take necessary action on the application of the petitioner. In spite of the same, no action was taken. Hence, the petitioner sent another representation dated 16.4.2015 to the second respondent for issuance of patta. Since the said representation was also not considered, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the second respondent to consider the representation of the petitioner dated 16.4.2015 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion with regard to the claim made by the petitioner and it is for the second respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

sbi

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

+ 1 cc to Mr.M.Selvam, Advocate, SR 16277

+ 1 cc to Govt.Pleader, High Court, Madras SR 16642

svi(co)
prk1/4

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