



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.2815 of 2013

1.P.A.Abdul Rahuman
2.M.P.Mohammed Ibrahim

... Petitioners

Vs.

1.The Director of Survey and Settlement,
Chepauk, Chennai - 5.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The Special Thasildar,
Updating Registry Scheme,
Pandaravadai Village,
Having Office at
Assistant Director of Survey and Land Records,
Gandhiji Road,
Thanjavur Town.

... Respondents

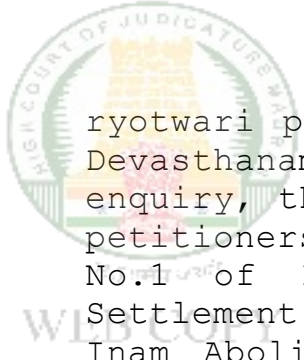
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation, dated 19.01.2013 on merits for updating the Village Registry of Pandaravadai Village in Papanasam Taluk of Thanjavur District.

For Petitioner : Mr.V.K.Vijayaragavan
For Respondents : Mr.R.Anandharaj
Government Advocate

ORDER

The petitioners have filed the present Writ Petition seeking for a direction to the first respondent to dispose of his representation, dated 19.01.2013.

2.According to the petitioners, the land in dispute is a minor inam. Earlier, an enquiry was conducted for granting



ryotwari patta, in which, the Mariamman kovil attached to palace Devasthanam also claimed patta for the same land and after enquiry, the Assistant Settlement Officer accepts the claim of the petitioners and some other persons granted joint patta under patta No.1 of 1969. The abovesaid order passed by the Assistant Settlement Officer was challenged by the Devasthanam before the Inam Abolition Tribunal cum Sub Court, Thanjavur. The Tribunal also confirmed the order passed by the Assistant Settlement Officer. This Court also by an order, dated 03.11.1988 confirmed the orders passed by the Assistant Settlement Officer as well as the Tribunal. Based on the abovesaid orders, the petitioners have made several representations before the first respondent to grant patta. But the first respondent did not take any action so far. Hence, the petitioners have filed this Writ Petition.

3.The first respondent admitted the above said facts in his counter. However, he has stated that since the said Devasthanam authorities have filed a suit in O.S.No.163 of 2012 before the Sub Court, Kumbakonam and the above said suit is pending and they are not in a position to pass any orders.

4.Heard Mr.V.K.Vijayaragavan, learned counsel appearing for the petitioners and Mr.R.Anandharaj, learned Government Advocate appearing for the respondents.

5.The learned counsel appearing for the petitioners submitted that the authorities under Madras Minor Inams (Abolition and Conversion into Ryotwari) Act, 30 of 1963, granted patta in favour of the petitioners and the same was also confirmed by this Court in S.T.A.No.4 of 1982, dated 03.11.1988. In the above circumstances, there is no other option for the authorities except to grant patta.

6.In the above circumstances, the first respondent is directed to consider the petitioner's representation, dated 19.01.2013 in the light of the order passed in S.T.A.No.4 of 1982 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar



ps

To

1.The Director of Survey and Settlement,
Chepauk, Chennai - 5.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The Special Thasildar,
Updating Registry Scheme,
Pandaravadai Village,
Having Office at
Assistant Director of Survey and Land Records,
Gandhiji Road,
Thanjavur Town.

+1CC to Mr.V.K.Vijayaragavan, Advocate Sr.No.67275

GJM/SS2/15.12.16-3p-5C

W.P(MD)No.2815 of 2013
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