

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4222 of 2017

P. Uthrapathi

.. Petitioner

vs.

1. The District Collector
Cuddalore District
Cuddalore.
2. The District Revenue Officer
Cuddalore District
Cuddalore.
3. The Revenue Divisional Officer
Virudhachalam Division
Cuddalore District- 606001
4. The Tahsildar
Virudhachalam Taluk
Cuddalore District.
5. The Zonal Deputy Tahsildar
Virudhachalam Taluk Office
Virudhachalam
Cuddalore District- 606 001.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents 4 & 5 to issue separate patta in the name of the petitioner in Periyakappankulam Village S.Nos. 70/6A2, 217/12 and 208/1C7, totally measuring about an extent of 3.03 acres of land and pass further orders.

For Petitioner : Mr. R. Anandha Babu

For Respondents : Mr. P.V. Selvakumar,
Additional Government Pleader

ORDER

The petitioner has filed the present writ petition, seeking to direct the respondents 4 & 5 to issue separate patta in his name, for the properties at Periyakappankulam Village S.Nos. 70/6A2, 217/12 and 208/1C7, totally measuring about an extent of 3.03 acres of land.

2. Learned counsel for the petitioner would submit that the grandfather of the petitioner, who was possessing several lands, settled those properties to his grandsons. The petitioner and other grand sons, exchanged the properties given to them, among themselves and also registered the exchange deed on 18.02.2015. The petitioner acquired the subject property and applied for separate patta to the respondents. As there was no response to his representation, he again applied on-line on 01.08.2016 and 05.08.2016. But, the petitioner was not granted patta. The representations submitted to the Chief Minister's Grievance Cell were also not considered. The respondents have failed to follow the procedures prescribed by the Government in G.O.Ms. No.99 P & A.R Department dated 21.09.2015 to deal with his grievance petition. Hence, the petitioner has filed the present writ petition, for the aforesaid prayer.

3. During the course of argument, learned counsel for the petitioner submitted that it would suffice, if this Court directs the respondents 4 and 5, to consider his application dated 28.10.2016, within the time framed by this Court.

4. Learned Additional Government Pleader would submit that if the said application is in order, the same would be considered, in accordance with law.

5. Heard learned counsel for the petitioner and learned Additional Government Pleader for the respondents.

6. Taking into consideration the facts and circumstances of the case, without expressing any opinion on the merits of the case, the 4th respondent is directed to consider the application dated 28.10.2016 of the petitioner, and pass orders on merits, in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order, after providing reasonable opportunity to the parties concerned. The petitioner shall also submit a copy of the application along with this order copy.

7. The Writ Petition is disposed of, with the above direction.
No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

avr

To

1. The District Collector
Cuddalore District
Cuddalore.
2. The District Revenue Officer
Cuddalore District
Cuddalore.
3. The Revenue Divisional Officer
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5. The Zonal Deputy Tahsildar
Virudhachalam Taluk Office
Virudhachalam
Cuddalore District- 606 001.

+1 CC to Mr. R. Anandha Babu, Advocate Sr.No.10872

+1 CC to Government Pleader, High Court, Chennai Sr.No.11145

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NR(II)
KP(13/04/2017)