

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.3607 of 2017

R.Arun Kumar

... Petitioner

vs.

1. The District Collector,  
Salem District,  
Salem.
2. The District Revenue Officer,  
Salem District,  
Salem.
3. The Sub Collector,  
Mettur Taluk,  
Mettur Dam,  
Salem District.
4. The Revenue Divisional Officer,  
Mettur Taluk,  
Mettur Dam,  
Salem District.
5. The Tahsildar,  
Mettur Taluk,  
Mettur,  
Salem District.
6. K.M.Sakthivel
7. Mani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 5th respondent to dispose of the representation of the petitioner dated 05.01.2017 seeking Patta in respect of Tharisu land to an extent of 2.34 cents in Survey No.145/1, 145/2, 145/3, 145/5 and 145/6, situated at P.N.Patty Village, Mettur Dam, Salem District.

For Petitioner : Mr.P.Rathanavel  
For Respondents 1 to 5 : Mr.R.S.Selvam,  
Government Advocate

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 5th respondent to dispose of his representation dated 05.01.2017 seeking Patta in respect of Tharису land to an extent of 2.34 cents in Survey No.145/1, 145/2, 145/3, 145/5 and 145/6, situated at P.N.Patty Village, Mettur Dam, Salem District.

2. According to the petitioner, the agricultural landed properties in Survey Nos.145/4A and 145/4B originally belonged to his grandfather Kumarappa Gounder and grandmother Palaniammal. After the death of his grandparents and his parents, the petitioner and his brother, Govindaraju are in peaceful and exclusive possession of the said lands. The grievance of the petitioner is that the 6th respondent, who purchased some properties in S.F.No.146/1B, 146/1B 2 and 146/3 at P.N.Patty Village and is running a Company in the name and style of M/s.Nutri Flowers (P) Ltd. in the said land, is giving all sorts of troubles to him and his brother, demanding them to sell their property to them. In this regard, the petitioner made a representation dated 08.07.2016 to the Sub Collector, Mettur, requesting to grant patta in his favour in respect of the above lands.

3. The Sub Collector/3rd respondent, in his proceedings vide O.M.No.628-2016A, dated 29.07.2016 directed the Tahsildar/5th respondent to conduct an enquiry and give a reply to him. Since the 5th respondent did not comply with the direction of the 3rd respondent, the petitioner sent a representation dated 05.01.2017 to the respondents requesting them to grant patta in his favour in respect of the above lands. Pending consideration of the same, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the 5th respondent herein to consider the petitioner's representation dated 05.01.2017 seeking Patta, on merits and in accordance with law, after giving an opportunity of hearing to the parties concerned, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.  
No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,  
Salem District, Salem.
2. The District Revenue Officer,  
Salem District, Salem.
3. The Sub Collector,  
Mettur Taluk,  
Mettur Dam,  
Salem District.
4. The Revenue Divisional Officer,  
Mettur Taluk,  
Mettur Dam,  
Salem District.
5. The Tahsildar,  
Mettur Taluk,  
Mettur,  
Salem District.

+ 1 cc to Mr.Government Pleader Sr.9712  
+ 1 cc to Mr.P. Rathanavel, Advocate SR.9383

VSN(CO)  
Eu 1.03.17

W.P.No.3607 of 2017

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