

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2017

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THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.16153 of 2017
and W.M.P.No.17455 of 2017

1 Kannammal

2 G.Buvaneshwari

[Petitioners]

Both are rep by their Power of Attorney
K.Vijayan S/o.Late Raji
No.10 Bajanai Koil St
Keelmottu Pallikuppam Katpadi Tk
Vellore

Vs

- 1 The State of Tamil Nadu
rep. by its principal Secretary
Revenue Department
Fort St. George Chennai 600 009
- 2 The District Collector
Vellore District Vellore.
- 3 The Distric Revenue Officer
Vellore District Vellore.
- 4 Thasildhar
Katpadi Taluk Katpadi Vellore District.

[Respondents]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the Tahsildar, Katpadi Vellore District, the 4th respondent herein to implement the proceedings of the Asst. Settlement Officer North in Na.Ka.Ee.2/5757/ 2013(1) dated 18.03.2016 by effecting mutation of names in Village Accounts and Revenue Records in respect of the lands in Survey No. 32 measuring an extent of 5.85 Acres and Survey No. 70 measuring an extent of 16.13 acres of dry land located in Vandharanthangal Village Vellore District and in Survey No. 64/1 measuring an extent of 2.24 Acres and Survey No. 65/2 measuring an extent of 0.17 acres of

dry lands situated in Tarapadavedu village Vellore district and issue patta in favour of the petitioners.

For Petitioners : Mr.D.Sadhasivan
For Respondents : Mr.A.N.Thambidurai, SGP

O R D E R

Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the respondents. By consent, the main writ petition itself is taken up for final disposal.

2. The petitioners have filed the above Writ Petition to issue a writ of mandamus directing the 4th respondent to implement the proceedings of the Assistant Settlement Officer, North, dated 18.03.2016 by effecting mutation of names in Village Accounts and Revenue Records in respect of the lands in Survey No.32, measuring an extent of 5.85 Acres and Survey No.70, measuring an extent of 16.13 acres of dry land, located in Vandharanthangal Village, Vellore District and in Survey No. 64/1 measuring an extent of 2.24 Acres and Survey No. 65/2 measuring an extent of 0.17 acres of dry lands situated in Tarapadavedu village, Vellore District and issue patta in their favour.

3. It is the case of the petitioners that the Assistant Settlement Officer in his proceedings dated 06.07.2015 directed the Tahsildar, Katpadi, Vellore District, the 4th respondent herein, for effecting mutation changes in Village Accounts and Revenue Accounts in respect of Survey No.32 measuring an extent of 5.85 acres and Survey No.70 measuring an extent of 16.13 acres in Vandaranthangal Village and Survey No.64/1 measuring an extent of 2.24 acres and Survey No.65/2 measuring an extent of 0.17 acres of punja lands in Tarapadavedu Village, as per the decree dated 28.08.2015 passed by the Subordinate Judge/Minor Inam Abolition Tribunal, Vellore, in C.M.A.Nos.2 and 3 of 2013 and Review Applications I.A.Nos.82 and 83 of 2015 dated 06.07.2015 and 28.08.2015. On 24.03.2016, the petitioners gave a representation to the 4th respondent for implementing the orders of the Assistant Settlement Officer. Subsequently, the petitioner also gave reminders dated 16.11.2016 and 25.04.2017, for implementing the orders passed by the Assistant Settlement Officer. However, according to the petitioners, so far, mutation of names has not been effected by the authorities.

4. Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the respondents submitted that as against the order dated 18.03.2016 passed by the Assistant Settlement Officer, no appeal has been filed challenging the said order and hence, the same has become final. However, the learned Special Government Pleader submitted that since the said order has

become final, the 4th respondent may be directed to consider the petitioners' representation dated 25.04.2017, in the light of the order passed by the Assistant Settlement Officer dated 18.03.2016 and pass orders in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, I direct the 4th respondent to consider the petitioners' representation dated 25.04.2017, in the light of the order passed by the Assistant Settlement Officer dated 18.03.2016 and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1 The Principal Secretary
The State of Tamil Nadu
Revenue Department
Fort St. George Chennai 600 009

2 The District Collector
Vellore District Vellore.

3 The District Revenue Officer
Vellore District Vellore.

4 Thasildhar
Katpadi Taluk Katpadi Vellore District.

+5 ccs to Mr.D.Sadhasivam Advocate sr 44788

+1 cc to the Government Pleader sr45311

W.P.No.16153 of 2017

aa07/07/2017