

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.16205 of 2017

&

W.M.P.No.17509 of 2017

1. A.S.Ramesh
2. R.Latha
3. A.R.Vishvambaran ... Petitioners

Vs.

1. The Commissioner,
Land Administrative,
Land Administrative Office,
Chepauk, Chennai.

2. The Director,
Survey and Settlement,
Chepauk, Chennai.

3. The District Collector,
Salem,
Salem District.

4. The District Revenue Officer,
Collectorate,
Salem,
Salem District.

5. The Assistant Director,
Survey and Land Records,
Salem,
Salem District.

6. The Revenue Divisional Officer,
Collectorate,
Salem,
Salem District.

7. The Tahsildar, (Land)
Taluk Office,
Salem,
Salem District. ... Respondents

Prayer: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the 7th respondent to issue separate patta in favour

of the petitioners by making necessary mutations in Town Survey and Land Register (TSLR) in respect of Survey Nos.101, 102, 103/1 and 70/2 in Ward - D, Block - 14 now resurveyed as Town Survey No.41 in Ward - AC, Block - 26 situated at Periyeri Village, Salem Taluk, Salem District as per the settlement A-register date 29.07.1961 by considering the representation of the petitioners dated 08.11.2016.

For Petitioners : Mrs.M.Benazir Begum

For Respondents : Mr.S.V.Dorai Solai Malai
Additional Government Pleader

ORDER

The petitioner has filed the above Writ Petition to issue a writ of mandamus, directing the 7th respondent to issue separate patta in favour of the petitioners by making necessary mutations in Town Survey and Land Register (TSLR) in respect of Survey Nos.101, 102, 103/1 and 70/2 in Ward - D, Block - 14 now resurveyed as Town Survey No.41 in Ward - AC, Block - 26 situated at Periyeri Village, Salem Taluk, Salem District as per the settlement A-register dated 29.07.1961 by considering their representation dated 08.11.2016.

2. The learned counsel appearing for the petitioners submitted that in spite of the petitioners' representation dated 08.11.2016 to issue separate patta in favour of the petitioners by making necessary mutations in Town Survey and Land Register, the respondents have not considered the same yet.

3. Mr.S.V.Dorai Solai Malai, learned Additional Government Pleader taking notice for the respondents submitted that only the District Revenue Officer, who is the 4th respondent in the writ petition, is the authority to consider the petitioner's representation for reclassifying the lands.

4. Since the petitioners have not given any representation to the 4th respondent, I am of the view that the petitioners can be given liberty to give a representation to the 4th respondent and in such an event, the 4th respondent can be directed to pass appropriate orders, in accordance with law.

5. Accordingly, I give liberty to the petitioners to give fresh representation to the 4th respondent, within one week from the date of receipt of a copy of this order and on receipt of the same, the 4th respondent is directed to consider the same and pass orders, after giving notice to all the interested parties within a period of twelve weeks thereafter.

With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Commissioner,
Land Administrative,
Land Administrative Office,
Chepauk, Chennai.
2. The Director,
Survey and Settlement,
Chepauk, Chennai.
3. The District Collector,
Salem, Salem District.
4. The District Revenue Officer,
Collectorate,
Salem, Salem District.
5. The Assistant Director,
Survey and Land Records,
Salem,
Salem District.
6. The Revenue Divisional Officer,
Collectorate,
Salem,
Salem District.
7. The Tahsildar, (Land)
Taluk Office,
Salem,
Salem District.

+lcc to Mrs.M.Benazir Begum, Advocate, S.R.No.45108
+lcc to the Government Pleader, S.R.No.45334

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