



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.14052 of 2015

C.Yerma Naicker

... Petitioner

Vs.

1. The District Collector,
Karur District.

2. The Tahsildar,
Thanthoni Village,
Karur Taluk, Karur District. ... Respondent

This Writ Petition has been filed praying for a Writ of Mandamus directing the second respondent herein to restore the patta in the name of the petitioner pursuant to the order, dated 10.06.2014 passed by this Honourable Court in W.P(MD)No.15265 of 2013 and consequently direct the second respondent to issue patta for the properties measuring 1.15 acres comprised in S.Nos.919/4 & 919/6 covered by old patta No.45 situated at Thanthoni Village, Karur Taluk, Karur District.

For petitioner : Mr.M.Ajmalkhan, Senior Counsel for
Mr.C.Venkatesh Kumar

For Respondents : Mr.M.Murugan
Government Advocate

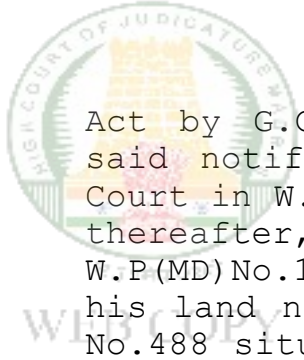
ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the second respondent herein to restore the patta in the name of the petitioner pursuant to the order, dated 10.06.2014 passed by this Court in W.P(MD)No.15265 of 2013 and consequently direct the second respondent to issue patta for the properties measuring 1.15 acres comprised in S.Nos.919/4 & 919/6 covered by old patta No.45 situated at Thanthoni Village, Karur Taluk, Karur District.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. The case of the petitioner is that he is the owner of the property measuring 1.15 acres comprised in S.Nos.919/4 & 919/6 covered by patta No.45. The property was sought to be acquired by the notification issued under Section 4(1) of the Land Acquisition



Act by G.O.Ms.No.452, Revenue Department, dated 03.06.1998. The said notification was quashed by a learned single Judge of this Court in W.P.No.9140 of 1998(batch), vide order dated 09.12.2009 and thereafter, the petitioner has filed W.P(MD)No.15265 of 2013 to quash the said notification in respect of his land namely Survey No.S.Nos.919/4 & 919/6 covered by old patta No.488 situated at Thanthoni Village, Karur Taluk, Karur District. This Court allowed the said Writ Petition vide order, dated 10.06.2014 and directed the respondents not to interfere with the possession and enjoyment of the petitioner in the above mentioned property. Now, the present Writ Petition has been filed to direct the second respondent to restore the patta in the name of the petitioner pursuant to the order passed by this Court in W.P(MD) No.15265 of 2013, dated 10.06.2014 based on the representation made by the petitioner on 21.06.2015.

5. Heard the learned Senior Counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

6. In view of the submission made on either side, this Court is of the opinion that it is appropriate to direct the second respondent to consider the representation of the petitioner. Accordingly, the second respondent is directed to consider the representation of the petitioner, dated 21.06.2015 and pass appropriate orders in the light of the order passed by this Court in W.P(MD)No.15265 of 2013, dated 10.06.2014, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Karur District.

2.The Tahsildar,
Thanthoni Village,
Karur Taluk, Karur District.

+ 1 CC TO M/S.AJMAL ASSOCIATES SR NO.44673

+ 1 CC TO SPECIAL GOVERNMENT PLEADER SR NO. 45210