



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.01.2017
CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

W.P(MD)No.6663 of 2016

Palanisamy

.. Petitioner

Vs.

1.The Assistant Director of Survey and Settlement,
Director of Survey and Settlement,
Chepauk, Chennai - 600 005.

2.The Assistant Settlement Officer,
Director of Survey and Settlement,
Chepauk, Chennai - 600 005.

3.The District Collector,
Pudukkottai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to grant patta to the petitioner for one acre of land in Survey No.78/1, Idayapatti Village, Iluppur Taluk, Pudukkottai District after changing its present classification from cart track to 'Assessed Dry Waste'.

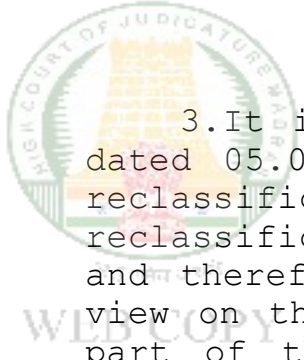
For Petitioner : Mr.N.Balakrishnan

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

The petitioner seeks for a Mandamus directing the respondents to grant patta to the petitioner for one acre of land in Survey No.78/1, Idayapatti Village, Iluppur Taluk, after reclassifying the said land from cart track to 'Assessed Dry Waste'.

2.There are two limbs of prayer, one is for grant of patta and the other is for reclassification of the land. Insofar as reclassification request is concerned, the first respondent has to consider the said request and pass orders on the same on merits and in accordance with law.



3. It is seen that the petitioner through the representation, dated 05.03.2016 approached the first respondent and sought for reclassification. Whether the petitioner is entitled to get such reclassification or not is for the competent authority to decide and therefore, at this stage, this Court is not expressing any view on the claim made by the petitioner. Insofar as the other part of the prayer for grant of patta is concerned, the said request of the petitioner has to be considered and decided by the competent authority only after an order is passed on his request for reclassification of the land. Therefore, this writ petition is disposed of only with a direction to the first respondent to consider the representation of the petitioner dated 05.03.2016 and pass orders on the same on merits and in accordance with law, after hearing the rival parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS I)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Assistant Director of Survey and Settlement,
Director of Survey and Settlement,
Chepauk, Chennai - 600 005.
2. The Assistant Settlement Officer,
Director of Survey and Settlement,
Chepauk, Chennai - 600 005.
3. The District Collector,
Pudukkottai District.

+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 4500

skn

AAM RSK 06.02.2017 2P 5C

W.P (MD) No. 6663 of 2016
24.01.2017