

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.20539 of 2018

G.Pattuswamy

... Petitioner

v.

1 The State of Tamil Nadu
Rep. by its Secretary to Government
Social Welfare Department
Secretariat
Chennai-600 009.

2 The District Collector
Ariyalur, Ariyalur District.

3 The Special Tahsildar
Adi Dravidar Welfare
Ariyalur, Ariyalur District

4 The Tahsildar
Udayarpalayam Taluk
Jayamkondam
Ariyalur District ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to consider his application dated 02.07.2018 and issue a Patta Pass Book for the ancestral lands held by him in peaceful possession and enjoyment by inheritance from his father and measuring an extent 1 Acre and 53½ cents comprised in Survey Nos.48/2, 48/4, 48/8 , 48/20 and 48/9 of Ilaiyaperumal Nallur Village Udayarpalayam Taluk Ariyalur District in the name of the petitioner.

For Petitioner : Mr.K.Balu
For Respondents : Mr.S.N.Parthararathy
Government Advocate

O R D E R

Mr.S.N.Parthararathy, learned Government Advocate, takes notice for the respondents. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents to consider his application dated 02.07.2018 and issue a Patta Pass Book for the ancestral lands held by him in peaceful possession and enjoyment by inheritance from his father and measuring an extent 1 Acre and 53½ cents comprised in Survey Nos.48/2, 48/4, 48/8, 48/20 and 48/9 of Ilaiyaperumal Nallur Village Udayarpalayam Taluk Ariyalur District in the name of the petitioner.

3. Mr.K.Balu, learned counsel appearing for the petitioner submitted that the petitioner has given his application for issuance of patta as early as on 02.07.2018 to the 2nd respondent. However, the 2nd respondent has not passed any order so far.

4. The learned Government Advocate appearing for the respondents submitted that the 4th respondent is the jurisdictional Thasildar to consider the case of the petitioner for issuance of Patta Pass Book. Hence, the petitioner may be directed to submit a fresh application to the 4th respondent along with relevant documents and in such an event, the 4th respondent may be directed to consider the petitioner's application and the documents to be produced by the petitioner and pass orders, in accordance with law.

5. In view of the submissions made by the learned counsel on either side, I direct the petitioner to submit a fresh application along with relevant documents 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, on merits and in accordance with law, after giving notice to all the interested parties, within a period of six weeks thereafter.

With these observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Secretary to Government
Social Welfare Department
Secretariat
Chennai-600 009.
- 2 The District Collector
Ariyalur, Ariyalur District.
- 3 The Special Tahsildar
Adi Dravidar Welfare
Ariyalur, Ariyalur District
- 4 The Tahsildar
Udayarpalayam Taluk
Jayamkondam
Ariyalur District

+1cc to Government Pleader SR.NO.55309
+1cc to M/s.K.Balu, Advocate SR.NO.55166

KAN(CO)
sm:13.8.2018

W.P.No.20539 of 2018

सत्यमेव जयते

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