

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.1046 of 2018

and

WMP.No.1261 of 2018

T.S.Kumarasamy

S/o.S.K.Senkodan

.. Petitioner

Vs.

1.The District Collector
Vellore District
Vellore.

2.The Revenue Divisional Officer
Thirupattur Division
Thiruppathur, Vellore District.

3.The Tahsildar
Ambur Taluk
Vellore District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to initiate appropriate legal action against the villagers of belonging to Sathambakkam and Parvathanpattai, Ambur Taluk, Vellore District by preventing them from using the petitioner's patta agricultural dry lands bearing (i) Survey No.82, measuring an extent of 3.18 acres, situated at Sathambakkam Village, Ambur Taluk, Vellore District having patta No.2 (ii) Survey No.120/3, measuring an extent of 5.60 acres, situated at Pavarthanpattai Village, Ambur Taluk, Vellore District bearing patta No.9 and (iii) Survey No.116/3, measuring an extent of 0.20 acres, situated at Pavarthanpattai Village, Ambur Taluk, Vellore District as burial grounds.

For Petitioner : Mr.J.Selvarajan

For Respondents : Mr.M.Jothikumar

Additional Government Pleader

O R D E R

Mr.M.Jothikumar, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner, claiming to be the owner of the lands bearing (i) Survey No.82, measuring an extent of 3.18 acres, situated at Sathambakkam Village, Ambur Taluk, Vellore District having patta No.2 (ii) Survey No.120/3, measuring an extent of 5.60 acres, situated at Pavarthanpattai Village, Ambur Taluk, Vellore District bearing patta No.9 and (iii) Survey No.116/3, measuring an extent of 0.20 acres, situated at Pavarthanpattai Village, Ambur Taluk, Vellore District, filed the present writ petition seeking for a mandamus directing the respondents to initiate appropriate legal action against the villagers belonging to Sathambakkam Village and Pavarthanpattai Village, Ambur Taluk, Vellore District, as they are using the above said lands as their burial grounds, without there being any authority or right to do so.

3. It is the case of the petitioner that the Revenue Department has not classified the said lands as burial grounds and on the other hand, they are his private patta lands. Ventilating such grievance, the petitioner has made a representation to the respondents on 30.08.2017 and it is stated that the said representation is still pending.

4. Therefore, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of, only by directing the third respondent to consider the said representation of the petitioner and pass orders on the same on merits and in accordance with law, after hearing the petitioner as well as the concerned village people, by giving them due opportunity of personal hearing as well. Such exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS IX)

//True copy//

Sub Assistant Registrar

MK

To

1.The District Collector
Vellore District
Vellore.

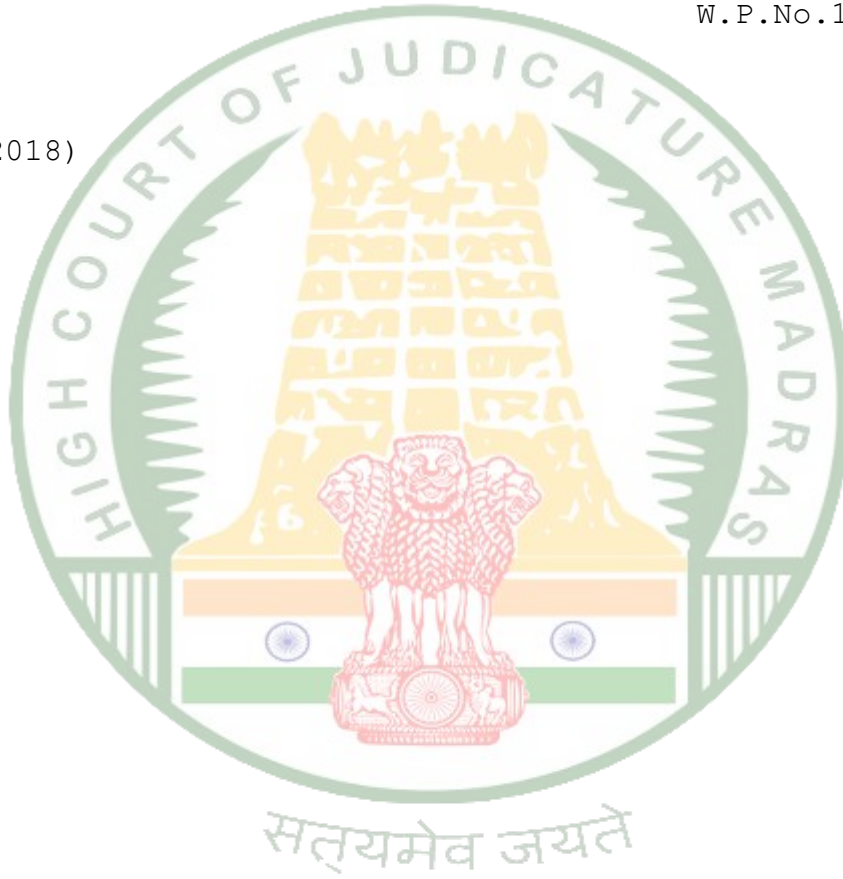
2.The Revenue Divisional Officer
Thirupattur Division
Thiruppathur, Vellore District.

3.The Tahsildar
Ambur Taluk
Vellore District.

+1cc to Mr.J.Selvaraj, Advocate SR.No.3750
+1cc to Government Pleader SR.No.4085

W.P.No.1046 of 2018

GN(25/01/2018)



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