

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.9850 of 2018

C.M.Muniraj

.. Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Krishnagiri - 635 115.

2.The Tahsildar,
Hosur - 635 109.
Krishnagiri Distirct.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to issue joint patta to the proceedings pertaining to the land in R.S.No.249 to an extent of 1-96-5 Hectares situated in Chichuruganapalli Village, Sevanganapalli Taluk, Village No.86, Bagalur Principal Estate, Hosur Taluk, Krishnagiri District, by considering the representation made by the petitioner dated 18.01.2018 within a time frame.

For petitioner : Mr.K.K.N.Ganeshan

For Respondents: Mr.V.Jayaprakash Narayanan, Spl.GP

O R D E R

The petitioner seeks a direction to the respondents to issue joint patta to the proceedings pertaining to the land in R.S.No.249 to an extent of 1-96-5 Hectares situated in Chichuruganapalli Village, Sevanganapalli Taluk, Village No.86, Bagalur Principal Estate, Hosur Taluk, Krishnagiri District, on the basis of his pending representation dated 18.01.2018.

2. It is submitted by the learned counsel for the petitioner that the petitioner has been in possession and enjoyment of the property bearing R.S.No.249, to an extent of 1-96-5 hectares of dry land, situated at Chchuruganapalli Village, Hosur, Krishnagiri District. It is also further stated that

although most of the occupants of the adjacent lands were given patta by the Revenue Authorities, the petitioner has not given patta in spite of his possession in the said land for more than 40 years. During the year 2000, the father of the petitioner had instituted a suit in O.S.No.84 of 2000 on the file of the District Munsif, Hosur, against one private individual, seeking to declare the said property in his favour and thereafter, the said suit was decreed in favour of the petitioner's father and since then, the petitioner has been in continuous possession of the said property.

3. It is also further stated that after the death of his father, the petitioner has made a representation dated 18.01.2018 to the respondents requesting to issue patta in his favour, but, the same has not been considered till date. To substantiate the fact that the said property stands in the name of his father, the petitioner has also filed a copy of the adangal extract dated 18.10.1972 and Kist receipts of the years 2001-2012 in the typed set of papers.

4. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, by accepting notice for the respondents, submitted that the above said suit was filed by the petitioner only against the private individual, not against the revenue department.

5. Be that as it may, since the representation dated 18.01.2018 preferred by the petitioner is pending before the respondents, this Court, without going into the merits of the matter, directs the respondents to dispose of the said representation dated 18.01.2018 on merits and in accordance with law and also by taking note of the adangal extract and kist receipts filed by the petitioner. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No Costs.

rkm

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Office of the District Collector,
Krishnagiri - 635 115.

2.The Tahsildar,
Hosur - 635 109.
Krishnagiri Distirct.

+lcc to Mr.K.KN.Ganesan, Advocate Sr.No.29652

+lcc to Government Pleader SR.no.29946

Sm:10.5.2018

W.P.No.9850 of 2018



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