

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2018

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.Nos.2696 and 2697 of 2017

V.Ramakrishnan

... Petitioner in
both the WPs

Vs.

1.The District Collector,
Collectorate,
Sathuvachari,
Vellore, Vellore District.

2.The Tahsildar,
Tahsildar Office,
Arakkonam Taluk,
Arakkonam, Vellore District.

3.The Village Administrative Office,
Vedal Village,
Arakkonam Taluk,
Vellore District.

... Respondents in
both the WPs

WP.No.2696/2017: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records related to the order of the second respondent in Na.Ka.No.A4/5098/2013 dated 28.03.2014 and quash the same as illegal and unsustainable and further direct the second respondent to grant separate patta in the name of the petitioner to the properties situated in S.No.177/7 to an extent of 0.5 cents, 177/8 to an extent of 0.6 cents and in S.No.177/9 to an extent of 19 cents, in patta No.570 in Vedal Village Account, Arakkonam Taluk, Vellore District.

WP.No.2697/2017: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records related to the order of the second respondent in Na.Ka.No.A4/1530/2013 dated 28.03.2014 and quash the same as illegal and unsustainable and further direct the second respondent to grant separate patta in the name of the petitioner to the properties situated in S.No.167 to an extent of 3.57 Acres in Vedal Village Account, Arakkonam Taluk, Vellore District.

For Petitioner : Mr.A.Gowthaman
in both petitions
For Respondents : Mr.V.Shanmuga Sundar, SGP
in both petitions

COMMON ORDER

These writ petitions have been preferred against the two separate orders dated 28.03.2014 passed by the second respondent, thereby rejecting the request of the petitioner seeking separate pattas in respect of the properties in S.Nos.177/7, 177/8 and 177/9; and S.No.167 in Vedal Village, Arakkonam Taluk, Vellore District, on the ground of pendency of the civil proceedings.

2.When the matters were taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that subsequent to the filing of these writ petitions, the Civil Suit in O.S.No.263/1993 filed by the petitioner for declaration and permanent injunction in respect of the properties in question, came to be decreed exparte in his favour on 05.02.2010, against which, the defendants filed IA.No.496 of 2013 for condoning the delay in filing the application to set aside the said exparte decree. By order dated 24.01.2017, the said application came to be dismissed by the District Munsif Court, Sholingur, Vellore District.

3.Such being the present position, these writ petitions stand disposed of, granting liberty to the petitioner to approach the respondent authorities with a fresh application seeking patta in respect of the properties in question, enclosing all the documents including the judgment and decree passed by the trial Court. On such representation being filed, the same be considered by the second respondent on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner. No costs.

rk

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Collectorate,
Sathuvachari,
Vellore, Vellore District.

2.The Tahsildar,
Tahsildar Office,
Arakkonam Taluk,
Arakkonam, Vellore District.

3.The Village Administrative Office,
Vedal Village,
Arakkonam Taluk,
Vellore District.

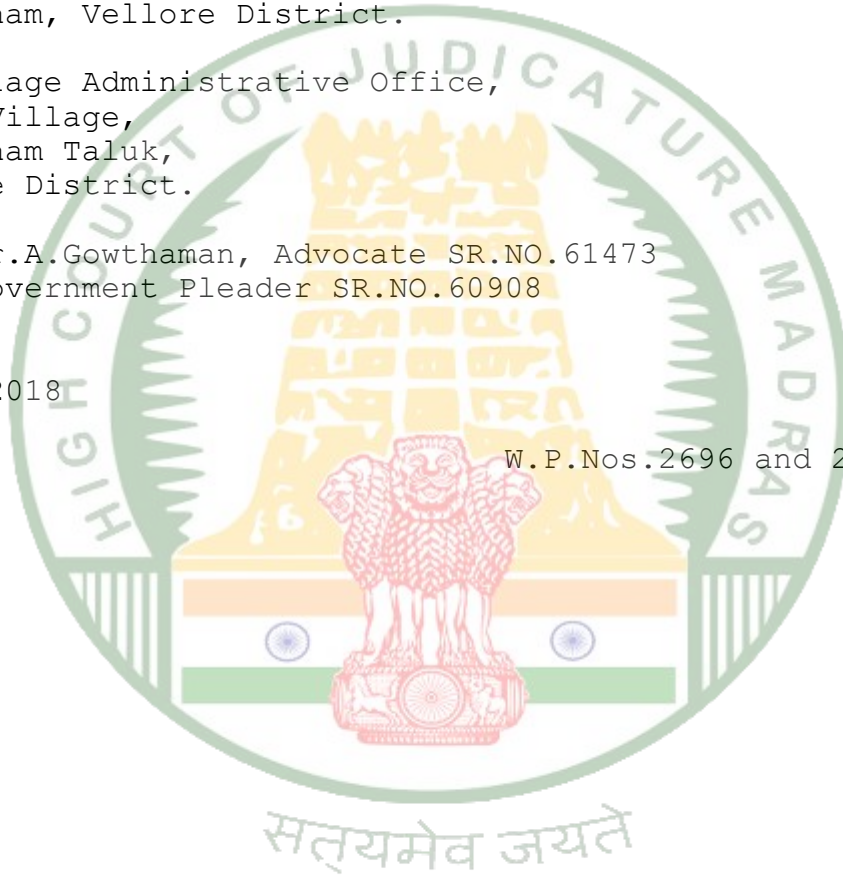
+lcc to Mr.A.Gowthaman, Advocate SR.NO.61473

+lcc to Government Pleader SR.NO.60908

VGI (CO)

sm:24.10.2018

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