

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2018

C O R A M

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition No.455 of 2014
& M.P.No.1 of 2014

N.Vetriselvan,
S/o.Nadaraja Udayar,
No.24, Arumuga Udayar Street,
Marandahalli Post,
Palacode Taluk,
Dharmapuri District. Petitioner

Vs.

1. The District Collector,
Dharmapuri District.
2. The District Revenue Officer,
Dharmapuri District.
3. The Tasildhar,
Palacode,
Dharmapuri District. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents to consider the petitioner request to include his name along with original owners in 'A' Register and delete the others names as per Settlement assignment with regard to lands in Marandahalli Village S.No.24 and Athimutlu Village S.No.312 dated 02.07.2012.

For Petitioner : Mr.D.Saravanan

For Respondents: Mr.R.Govindasamy,
Special Government Pleader.

O R D E R

The writ petition has been filed seeking a direction to the 2nd respondent to consider the petitioner's application for change of Patta.

2. The grievance of the petitioner is that he is the owner of the property in S.No.24 in Marandahalli Village and S.No.312 in Athimutlu Village in Palacode Taluk, and patta was also earlier stands in their name. Subsequently, without any notice to the petitioner the patta had been changed in the names of the third parties. Hence, he filed a application before the 3rd respondent/Tasildhar, seeking transfer of patta but the Tasildhar by an order dated 01.04.2013 stated that since the transfer of patta has been effected before the UDR scheme, only the District Revenue Officer/2nd respondent is the competent authority to deal with it and referred the matter to the District Revenue Officer. Even though the matter was referred to the District Revenue Officer, as early as on 2013, so far no order has been passed. Hence, the present writ petition has been filed.

3. Considering the fact that already the matter has been referred to the 2nd respondent by the 3rd respondent/Tasildhar in the year 2013, and the matter is now pending before the 2nd respondent, in such circumstances without going into the merits of the case, the 2nd respondent is directed to consider the petitioner's application and pass suitable orders on merits and in accordance with law by issuing a notice to the petitioner as well as to the other parties in whose name the patta now stands as on today, within a period of 12 weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

msvm
To

1. The District Collector,
Dharmapuri District

2. The District Revenue Officer,
Dharmapuri District,

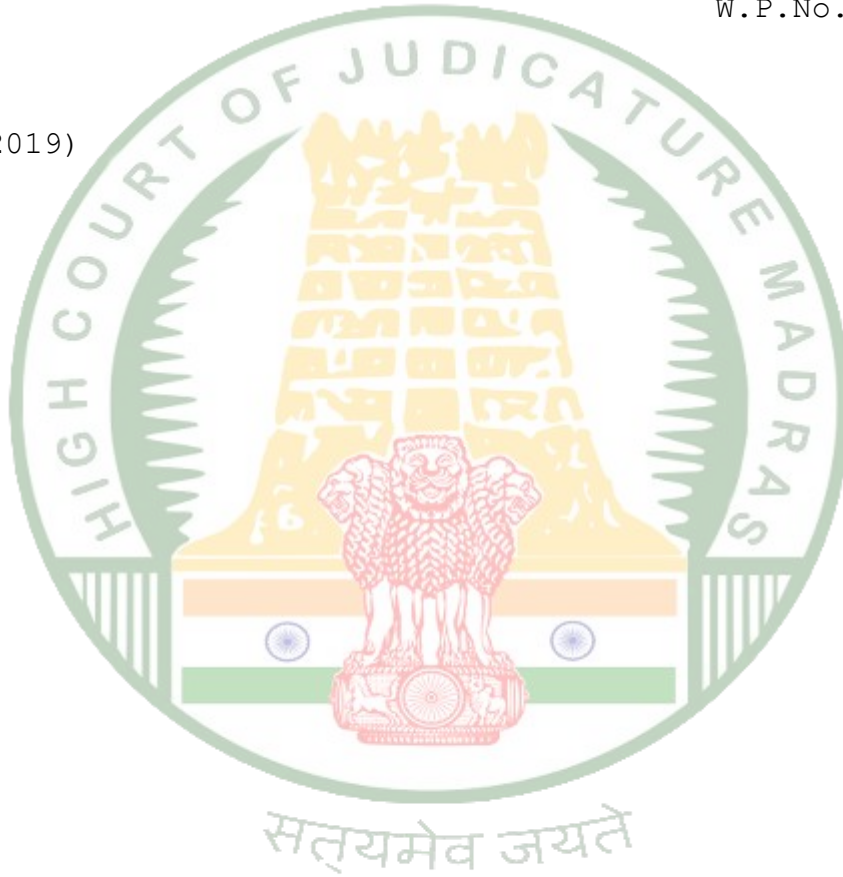
3. The Tasildhar,
Palacode,
Dharmapuri District.

+1 CC to Govt. Pleader sr 77441.

+1 CC to Mr.D.Saravanan, Advocate sr 77773.

W.P.No.455 of 2014

SSD(CO)
SP(25/01/2019)



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