

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.18661 of 2018

K.R.Murugan

.. Petitioner

-vs-

1. The District Collector
Tiruvannamalai District
Tiruvannamalai

2. District Revenue Officer
Office of District Revenue Officer
Tiruvannamalai

3. Revenue Divisional Officer
Tiruvannamalai District
Tiruvannamalai

4. Thasildhar
Tiruvannamalai District
Tiruvannamalai

5. Village Administrative Officer
Kaakarasm Paayam
Pudupalayam Post
Chengam Taluk
Tiruvannamalai District 606 705

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the representation dated 12.05.2018 given by the petitioner for patta transfer in respect of the land owned by him at Survey No.19/1A2, 19/3, 19/3A to the total extent of 41 cents at Kaakarasm Palayam Village, Chengam Taluk, Tiruvannamalai District within a fixed time limit.

For Petitioner :: Mr.A.K.Rajaraman

For Respondents :: Mrs.P.Rajalakshmi
Additional Government Pleader

ORDER

The petitioner, having served the Military service for more than two decades from 1993 till 2015, has purchased a piece of agricultural land situate at Survey Nos.19/1A2, 19/3, 19/3A having an extent of 41 cents for a valuable consideration of Rs.1,00,000/- (wrongly stated as Rs.10,00,000/- in the affidavit). The learned counsel for the petitioner submitted that as the said land was purchased under a registered sale deed bearing Document No.5821 of 2012 on the file of the Sub Registrar Office, Chengam on 27.9.2012, he has been in peaceful possession and enjoyment of the same by doing agricultural activities. Since then, the petitioner has been making application/representation one after the other requesting the revenue authorities to transfer the patta in respect of the land purchased by him. But till date, no action is taken. However, the District Collector, Tiruvannamalai, in his communication dated 29.5.2018 enclosed in the typed set of papers, has directed the Tahsildar, Chengam to conduct an enquiry and inform the petitioner about the same. In spite of the said communication issued by the District Collector on 29.5.2018, the Tahsildar, Chengam has not acted in the matter. Therefore, he has been advised to come to this Court.

2. The learned Additional Government Pleader for the respondents, taking note of the communication dated 29.5.2018 issued by the District Collector to the Tahsildar, Chengam, also submitted that when there has been a communication directing the Tahsildar, Chengam to consider the request of the petitioner, in all fairness, the Tahsildar, Chengam should have acted forthwith. As he has not done so, a direction be issued.

3. Recording the statement made by the learned Additional Government Pleader for the respondents, taking note of the communication issued by the District Collector, Tiruvannamalai, this Court hereby directs the Tahsildar, Chengam to consider the request of the petitioner for transfer of patta on the basis of the sale deed and other revenue records and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. If the Tahsildar, Chengam fails to consider the request of the petitioner within the time limit stipulated in this order, the District Collector, Tiruvannamalai is further directed to take appropriate action against the Tahsildar, Chengam for non-compliance of his direction and also the direction issued by this Court. With this direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

ss

To

1. The District Collector
Tiruvannamalai District
Tiruvannamalai
2. The District Revenue Officer
Office of District Revenue Officer
Tiruvannamalai
3. The Revenue Divisional Officer
Tiruvannamalai District
Tiruvannamalai
4. The Thasildhar
Tiruvannamalai District
Tiruvannamalai
5. The Village Administrative Officer
Kaakarasaam Paayam
Pudupalayam Post
Chengam Taluk
Tiruvannamalai District 606 705
6. The Tahsildar
Chengam
Tiruvannamalai District

+1cc to Mr.A.K.RAJARAMAN, Advocate, S.R.No. 49210
+1cc to the Government Pleader, S.R.No. 49997

W.P.No.18661 of 2018

KJ(CO)
TR(07/08/2018)

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