

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.02.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.28211 of 2013
and
M.P.No.1 of 2013

M.Babu

...Petitioner

Versus

1.The District Collector,
Perambalur District,
Perambalur,
Perambalur District.

2.The Revenue Divisional Officer,
Perambalur,
Perambalur District.

3.The Tahsildar,
Vepanthattai Taluk,
Perambalur,
Perambalur District.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to provide patta to the petitioner allotted land viz., to an extent of 3 acres in Survey No.232, Eraiyur Village, Perambalur District within the time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Thilageswaran
For Respondents : Mr.N.Inbanathan
Additional Government Pleader

ORDER

The petitioner has come forward with this present Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to provide patta to the petitioner to the land measuring to an extent of 3 acres in Survey No.232, Eraiyur Village, Perambalur District.

2. The case of the petitioner is that, he belongs to Narikuravar Community and his forefathers were roaming all over the Country for their livelihood. His community is now included in the MBC (Most Backward Class) list.

3. The learned counsel for the petitioner would submit that considering the character and economics status of persons like the petitioner, the District administration had allotted 1.5 to 4 acres of land to the families of Narikuravar Community in the year 1977. As such, they have been in possession and enjoyment of the same. He would further state that at the time of allotment, the land was filled with bushes and thorns and infertile. Thereafter, the allottees have dug wells, planted fruit bearing trees and developed the land with their hard work. The third respondent on 15.05.1983 has forwarded the recommendations to the Revenue Divisional Officer, for issuance of Patta to the petitioner's Community people. While so, in the year 2013, an attempt was made to dispossess the petitioner of his land. Hence, the petitioner gave a representation dated 17.12.2012 for issuance of Patta. Since no favourable order was passed, the present Writ Petition has been filed.

4. Heard Mr.K.Thilageswaran, learned counsel appearing for the petitioner, Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents and perused the material documents available on record.

5. The counsel for the petitioner by producing the Photographs taken recently submitted that the petitioner is still in occupation of the land and now they have cultivated crops.

6. The learned Additional Government Pleader submitted that, there is no proof furnished for the submission of the representation of the petitioner dated 17.12.2012 and if a fresh representation is given, that will be considered on merits and in accordance with law.

7. In the light of the above facts, this Court, directs the petitioner to give a fresh representation to the respondent, within a period of two weeks from the date of receipt of copy of this order, along with other relevant documents. On such receipt, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing an opportunity to all the necessary parties as expeditiously as possible. Till then, the respondents are directed to maintain Status-quo as on date.

8. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

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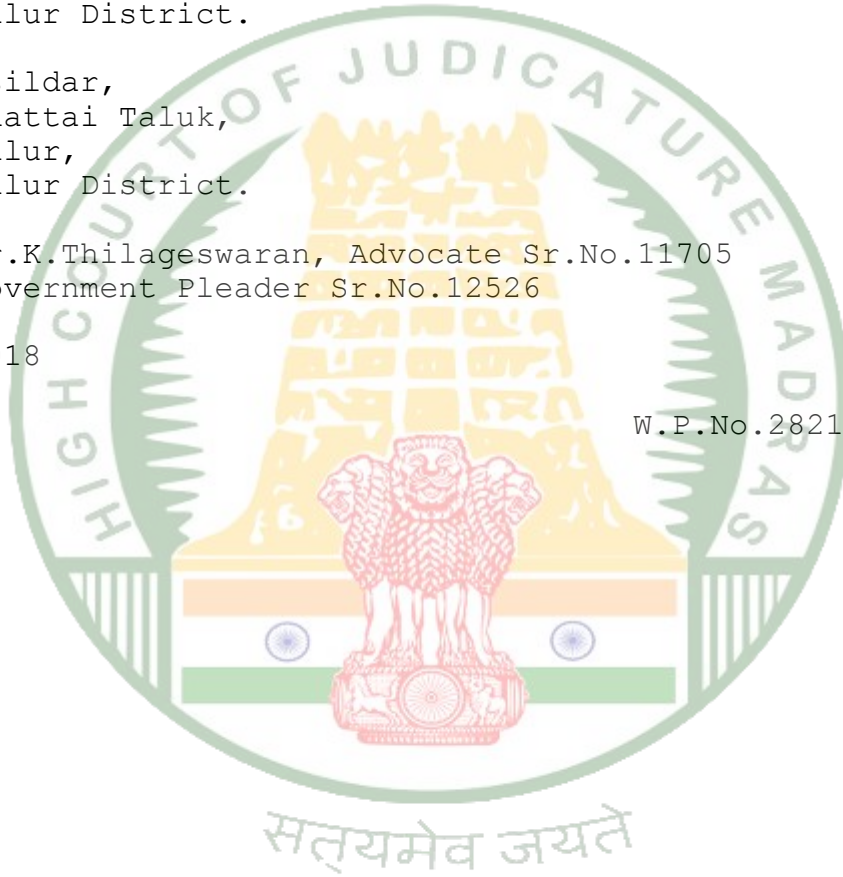
To

- 1.The District Collector,
Perambalur District,
Perambalur,
Perambalur District.
- 2.The Revenue Divisional Officer,
Perambalur,
Perambalur District.
- 3.The Tahsildar,
Vepanthattai Taluk,
Perambalur,
Perambalur District.

+1cc to Mr.K.Thilageswaran, Advocate Sr.No.11705
+1cc to Government Pleader Sr.No.12526

sm:12.3.2018

W.P.No.28211 of 2013
1/7



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