IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.27946 of 2018

N.Chandrasekaran .. Petitioner

Vs.

1. The District Collector,
   Cuddalore District.

2. The District Revenue Officer,
   Cuddalore District. .. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to issue patta in respect of the land in Survey Nos.71/2A - 0.46.30 Hrs and Survey No.71/2D - 0.22.0 Hrs. Survey No.72/3 - 0.52.0 hrs in total 1.20.30 Hectares (about 3 acres) Palayamkottai Melpathi, Kattumannarkoil Taluk now Shri Poosanam Taluk, Cuddalore District in the name of petitioner based on the recommendations of the RDO Chidambaram.

For Petitioner : Mr.B.Manoharan
For Respondents : Mr. V.Shanmuga Sundar
Special Govt. Pleader

O R D E R

The Writ Petition is filed for issuance of Mandamus, directing the respondents to issue patta in respect of the land in Survey Nos.71/2A - 0.46.30 Hrs and Survey No.71/2D - 0.22.0 Hrs. Survey No.72/3 - 0.52.0 hrs in total 1.20.30 Hectares (about 3 acres) Palayamkottai Melpathi, Kattumannarkoil Taluk now Shri Poosanam Taluk, Cuddalore District in the name of the petitioner based on the recommendations of the Revenue Divisional Officer, Chidambaram.

2. According to the petitioner, the issuance of patta was delayed even after the recommendation of RDO. The petitioner earlier filed the Writ Petition in WP No.32357 of 2016, for a Mandamus to consider the representation dated 11.08.2016 in respect of Survey No.71/2 & 72/3. Pursuant to the order passed

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by this Court, the petitioner was directed to pay a sum of Rs.10,330/- to the Tahsildar. As per the demand, the petitioner remitted the said amount. The Tahsildar also had submitted his report to the Revenue Divisional Officer and the Revenue Divisional Officer has submitted his report for issuance of patta to the second respondent herein. The said communication was made on 04.06.2018. A representation was made by the petitioner on 11.08.2016 enclosing the order of this Court and the recommendation of the Revenue Divisional Officer, Chidambaram. Though, more than four weeks passed, no action has been taken by the respondent. Hence, the above Writ Petition is filed.

3. Heard Mr.Manoharan, learned counsel appearing for the petitioner and Mr.V.Shanmuga Sundar, learned Special Government Pleader on behalf of respondents.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 11.08.2016 in the light of the recommendations of the Revenue Divisional Officer dated 04.06.2018, and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and also affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

jv

To
1. The District Collector, Cuddalore District.

2. The District Revenue Officer, Cuddalore District.

+1cc to Mr.B.Manoharan, Advocate, S.R.No.79803

W.P.No.27946 of 2018

SJ(CO)
GN(17/12/2018)

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