



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2018

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P(MD)No.14138 of 2018

WEB COPY

A.Ramaswamy

.. Petitioner

Vs.

1. The District Collector,
O/o. District Collector,
Ramanathapuram District.

2. The Sub-Collector,
O/o. Sub-Collector,
Paramakudi,
Ramanathapuram District.

3. The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

4. The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

5. The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Revenue Administration,
Fort St. George, Chennai.

.. Respondents

[R.5 impleaded vide order dated 03.10.2018 made
in W.M.P.(MD)No.14735 of 2018 in W.P.(MD)No.14138 of 2018]

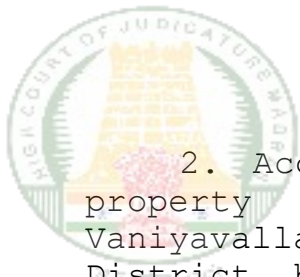
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the fourth respondent to grant patta to the petitioner's land which is situated in Survey No.298/2A extent of 0.81.0 Hectare at Vaniyavallan Village, Nainar Kovil, Paramakudi Taluk, Ramanathapuram District, on the basis of the order of the first respondent dated 15.02.2015, within a stipulated time limit.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Murugan,
Additional Government Pleader

ORDER

Heard the learned Counsel appearing on either side and perused the materials placed on record.



2. According to the learned Counsel for the petitioner, the property in Survey No.298/2A extent of 0.81.0 Hectare at Vaniyavallan Village, Nainar Kovil, Paramakudi Taluk, Ramanathapuram District, belongs to him and the same was acquired by the Government on 09.04.1987, for the purpose of constructing a police station. However, no such construction was carried out in the said land and the same was kept vacant without any use. Therefore, the petitioner has approached the first respondent / District Collector to reconvey the land in his name. Subsequent thereto, the first respondent, after detailed enquiry, has passed an order dated 15.02.2015, reconveying the land in favour of the petitioner. Thereafter, the petitioner is in enjoyment of the land. But, the grievance of the petitioner is that though the land has been reconveyed in his favour, patta has not yet been issued, despite repeated requests and hence, the petitioner is before this Court.

3. Learned Additional Government Pleader appearing for the respondents acknowledged the reconveyance order dated 15.02.2015 passed by the first respondent in favour of the petitioner. He has also produced a copy of the proceedings of the first respondent addressed to the fifth respondent, in Na.Ka.B1/57965/2009, dated 30.08.2015, signed on 06.07.2018, wherein, the first respondent / District Collector has requested the fifth respondent / Secretary to Government to pass consequential orders in respect of the proceedings of the District Collector dated 15.02.2015, since the power to surrender the land to its original owner vests only with the Government. Therefore, the learned Additional Government Pleader prayed for some time.

4. In view of the aforesaid submission made by the learned Additional Government Pleader, this writ petition is disposed of, with a direction to the fifth respondent to pass appropriate consequential orders in the proceedings of the first respondent / District Collector in Na.Ka.B1/57965/2009, dated 30.08.2015, signed on 06.07.2018, addressed to him, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the order from the fifth respondent, the first respondent shall pass suitable orders issuing patta in favour of the petitioner in respect of the subject property, within a period of two weeks thereafter. No costs.

Sd/-

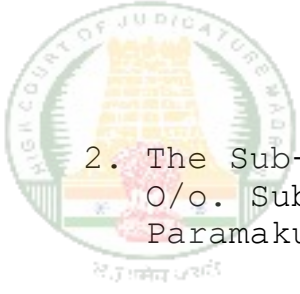
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,
O/o. District Collector,
Ramanathapuram District.



2. The Sub-Collector,
O/o. Sub-Collector,
Paramakudi, Ramanathapuram District.

3. The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

4. The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

5. The Secretary,
Government of Tamil Nadu,
Department of Revenue Administration,
Fort St. George, Chennai.

+1cc to Spl.Government Pleader Sr.No.92188

+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.92126

GK

VB/BK/SAR2/06.12.2018/3P/8C

Order made in
W.P (MD) No.14138 of 2018
25.10.2018