

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4374 of 2019
and
W.M.P.No.4915 of 2019

Sampoornam

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Athur,
Salem District.
2. The Tahsildar,
Gengavalli Taluk,
Salem District.
3. The Surveyor,
Gengavalli Taluk,
Salem District.
4. The Village Administrative Officer,
Veppampoondi Village,
Gengavalli Taluk,
Salem District.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to grant patta to the petitioner's land measuring an extent of 19 cents, comprised in Survey No.164/3, situated at Veppampoondi Village, Gengavalli Taluk, Salem District and consequently, direct the Respondents not to issue any patta/possession certificate to any third parties in the lands.

For Petitioner : Mr.Abdul Saleem
for M/s.AAV Partners

For Respondents: Mr.I.Sathish
Additional Government Pleader

O R D E R

Mr.I.Sathish, learned Additional Government Pleader takes notice for the respondents . By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a mandamus directing the respondents to grant patta in her favour in respect of the land measuring an extent of 19 cents, comprised in Survey No.164/3, situated at Veppampoondi Village, Gengavalli Taluk, Salem District and consequently, directing the respondents not to issue any patta/possession certificate to any third parties in the lands.

4. It is seen that the Tahsildar, Gengavalli Taluk, the second respondent herein, has issued Joint Patta No.748 in favour of the petitioner and others. Even though the petitioner has sent the representations dated 10.03.2016, 28.06.2017, 05.06.2018 and 01.10.2018, seeking for issuance of separate patta in her favour in respect of the subject matter land, till date the respondents neither issued separate Patta nor considered the representations filed by her.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representations dated 10.03.2016, 28.06.2017, 05.06.2018 and 01.10.2018, and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mk

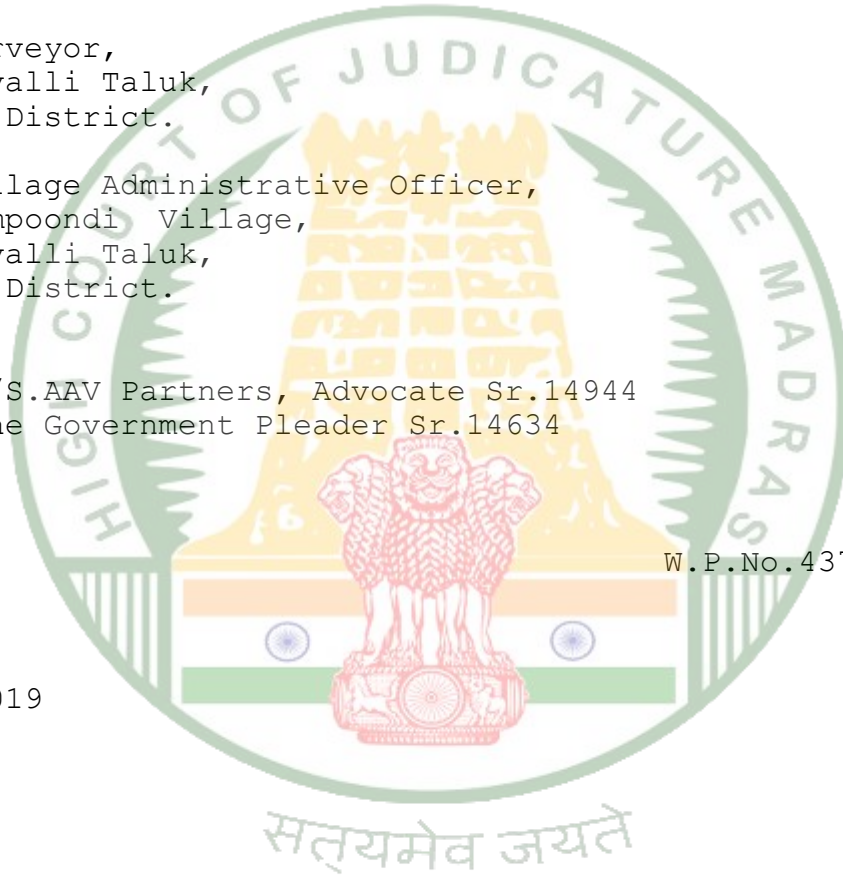
To

1. The Revenue Divisional Officer,
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2. The Tahsildar,
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Salem District.
3. The Surveyor,
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4. The Village Administrative Officer,
Veppampoondi Village,
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Salem District.

+1cc to M/S.AAV Partners, Advocate Sr.14944
+1cc to the Government Pleader Sr.14634

W.P.No.4374 of 2019

pm[co]
srg 8/3/2019



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