

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10162 of 2019

C.Rajagopal

...Petitioner

Vs.

1. The District Collector,
Vellore District,
Vellore.

2. The Revenue Divisional Officer,
Ranipet,
Vellore District.

3. The Tahsildar,
Taluk Office,
Walajapet,
Vellore District.

4. The Settlement Officer,
Survey and Settlement Office,
Ezhilagam,
Chepauk,
Chennai - 600005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 3rd respondent herein to issue patta to the petitioner for his lands measuring 0.03.5 hectares, 0.47.0 hectares and 0.45.0 hectares in S.F.No.277/220, 287/9 and 296/5 situate at Nowlock Garden, Puliankannu Village, Ranipet Firka, Walajapet Taluk, Vellore District implementing the Judgment and Decree dated 15.10.2010 passed in O.S.No.111 of 2003 on the file of the District Musif Court, Ranipet within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Government Advocate 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. The petitioner seeks for a mandamus directing the 3rd respondent to issue patta in his favour in respect of the land measuring an extent of 0.03.5 hectares, 0.47.0 hectares and 0.45.0 hectares in S.F.Nos.277/220, 287/9 and 296/5 situated at Nowlock Garden, Puliankannu Village, Ranipet Firka, Walajapet Taluk, Vellore District.

3. The grievance of the petitioner is that even though, he obtained a decree declaring his right over the subject matter property in O.S.No.111 of 2003 dated 15.10.2010, the patta is not granted in his favour all these years, despite repeated requests made by him.

4. It is seen that the respondents herein, are the defendants in the said suit. It is also stated that the said decree has become final and conclusive and no appeal is filed by the defendants.

5. If that be the factual position, I do not think that there will be any impediment for the 3rd respondent to consider the request of the petitioner for grant of patta in respect of the subject matter land. Accordingly, this Writ Petition is disposed of, only by directing the 3rd respondent to consider the claim of the petitioner and pass appropriate orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sni/mk

To

1. The District Collector,
Vellore District,
Vellore.

2. The Revenue Divisional Officer,
Ranipet,
Vellore District.

3. The Tahsildar,
Taluk Office,
Walajapet,
Vellore District.

4. The Settlement Officer,
Survey and Settlement Office,
Ezhilagam,
Chepauk,
Chennai - 600005.

+1 cc to Mr.K.Govi Ganesan, Advocate, S.R.No.32996

+1 cc to the Government Pleader, S.R.No.34031

W.P.No.10162 of 2019

SV(CO)
SSM(08/05/2019) .



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