

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.28482 of 2019

E.Nagaraj

.. Petitioner

/versus/

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Nemili Taluk,
Vellore District.

3.The District Revenue Officer,
Vellore District,
Vellore.

4.P.Palani

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 25.05.2018 and 29.07.2018 sent for not to issue any patta in favour of 4th respondent for Survey No.288/3B and cancel the Sub-division effected in the Field Map in Survey No.288/3B, sub-divided in Survey No.288/3, to an extent of 0.04 cents, situated at Katupakkam Village, Nemili Taluk, Vellore District.

For petitioner : Mr.R.Thanjan

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate for R1 to R3

O R D E R

The petitioner prays that the respondent should not issue patta in favour of the 4th respondent in respect of Survey Number and cancel the sub-division effected in the Field Map in Survey No.288/3B, sub-divided in Survey No.288/3, to an extent of 0.04 cents, situated at Katupakkam Village, Nemili Taluk, Vellore District.

2. Whereas, the learned Government Advocate for the 2nd respondent submits that pursuant to the Gramanatham patta issued to the father of the 4th responden, the patta for the Survey No.288/3B sub-divided in 3 has already been mutated in the name of the 4th respondent. Hence, the present writ petition is not maintainable and if at all the petitioner is aggrieved, he has to challenge the said mutation of the revenue records effected in respect of the 4th respondent.

3. This Court finds some force in the submission made by the learned Government Advocate for the 2nd respondent since the patta has already been in the name of the 4th respondent's father during his life time and currently mutation effected in the name of his sons, the petitioner has to challenge the said mutation before the Revenue Divisional Officer as per Revenue Standing Orders.

4. For the said purpose, the 2nd respondent is directed to respond to the representation given by the petitioner herein dated 25.05.2018 intimating the current factual position as per revenue records.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rpl
To

1.The District Collector,
Vellore District,
Vellore.

2.The Tahsildar,
Nemili Taluk,
Vellore District.

3.The District Revenue Officer,
Vellore District,
Vellore.

+1cc to Mr.R.Thanjan, Advocate SR.93916
+1cc to the Government Pleader SR.94588

W.P.No.28482 of 2019

(CO)
CB(05/12/2019)