

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.9169 of 2014

G.Poolappa

...Petitioner

Vs.

1.The District Collector,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri.

3.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

4.The Tahsildar,
Hosur,
Krishnagiri District.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent to issue patta in favour of the petitioner in Survey No.680/1, 681 in Nandhimangalam Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.N.Sureka

For Respondent : Mr.N.Inbanathan

Additional Government Pleader

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O R D E R

This Writ petition is filed to direct the 4th respondent to issue Patta in favour of the petitioner in respect of Survey No.680/1, 681 in Nandhimangalam Village, Hosur Taluk, Krishnagiri District.

2.According to the petitioner, the property bearing Survey No.680/1 and 681 total extent of 11.50 acres in

Nandhimangalm Village, Hosur Taluk, Krishnagiri District owned by the petitioner's ancestors. Petitioner's family members herein were in peaceful possession and enjoyment of the said property for more than 100 years. The said property has been converted in to "Podugal Pormaboke" (Unassessed waste land) and during the family partition, the said land has been partitioned among the family members and they have been in joint possession and enjoyment of the property. According to the petitioner, they are cultivating these lands and also paying necessary B memo charges to the Revenue Department. Therefore, the petitioner made a representation to the respondents on 22.10.2013 for issuing a Patta, but no order has been passed by the 4th respondent. Therefore, the petitioner has filed the present writ petition before this Court.

3. In the counter affidavit Counter filed by the 4th respondent, it is stated that the petitioner and their family members are not in a possession of the subject matter of the property.

4. On perusal of the records would show that the petitioner has not produced any documents to prove that the petitioner has been in possession of the property. The petitioner has relied upon only B memo issued in Pasali No.1407 enclosed with typedset of papers. Except B memo, no other documents were placed before this Court to prove that the petitioner is in possession and enjoyment of the property.

5. For the reason stated above, the prayer sought for in the writ petition to consider the representation of the petitioner for issuance of patta in his favour cannot be considered. Therefore, there is no merit in writ petition and the same is deserves to be dismissed.

5. Accordingly, the writ petition is dismissed. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS IV)

//True Copy//

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Sub Assistant Registrar

jas/vaan

To

1. The District Collector, Krishnagiri.

2.The District Revenue Officer, Krishnagiri.

3.The Revenue Divisional Officer, Hosur, Krishnagiri District.

4.The Tahsildar, Hosur, Krishnagiri District.

+1cc to Mr.C.Samivel, Advocate sr.no.10358

+1cc to Government Pleader sr.no.10788

W.P. No.9169 of 2014

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nr 25/03/2019



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