

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9968 of 2020 and
W.M.P.No.12119 of 2020

P.Narayanasamy

... Petitioner

Vs.

1.The District Collector,
Kallakurichi Town,
Kallakurichi District.

2.The Sub Collector,
Revenue Divisional Office,
Kallakurichi Town,
Kallakurichi District.

3.The District Revenue Officer,
District Revenue Office,
Kallakurichi Town,
Kallakurichi District.

4.The Revenue Divisional Office,
Revenue Divisional Office,
Kallakurichi Town,
Kallakurichi District.

5.The Tahsildar,
Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

6.Village Administrative Officer,
Village Administration Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the fifth respondent to grant patta to the petitioner in respect of the land situate in Aa.Pu.Sa.No.210/3, on the border of Kaattuvannachur Village, Sankarapuram Taluk, Kallakurichi District in respect of 2 acres which are in the petitioner's possession, out of the total extent of 160.89 acres by considering the petitioner's representation dated 10.02.2020 and pass orders.

For Petitioner : Mr.P.Valliappan

For Respondents : Mr.Annai Ezhil,

Government Advocate

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus directing the fifth respondent to grant patta to the petitioner based on the representations made by the petitioner.

2.The case of the petitioner is that the property in question is ancestral property. The father of the petitioner submitted an application before the District Collector seeking for patta. The District Collector, passed an order directing the fourth respondent to assign the land in favour of the petitioner's father. Pursuant to the said order, the fourth respondent issue a memo dated 21.03.1994 to the fifth respondent directing to assign the land in favour of the father of the petitioner and three other persons.

3.Even when the petitioner's father was alive, he made several representations seeking for patta. According to the petitioner, it was never acted upon and unfortunately the petitioner's father passed away. Thereafter, the petitioner became entitled to the property and he started making representations. It is seen from the records that the District Collector, has atleast on two occasions directed the fourth respondent to act upon the representations. The last representation was given by the petitioner on 10.02.2020. This representation also did not evoke any response and left with no other alternative, the petitioner has approached this Court seeking for appropriate directions.

4.Heard Mr.P.Valliappan, learned counsel appearing on behalf of the petitioner and Mr.Annai Ezhil, learned Government Advocate appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the issue has been pending for a long number of years and also of the fact that there is already an order of assignment passed by the District Collector, there shall be a direction to the fifth respondent to immediately act upon the representation made by the petitioner on 10.02.2020 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the fifth respondent along with a copy of the representation dated 10.02.2020 and all the other relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Kallakurichi Town,
Kallakurichi District.

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Tahsildar Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

6.Village Administrative Officer,
Village Administration Office,
Sankarapuram Town and Taluk,
Kallakurichi District.

7.The Government Pleader,
High Court, Madras.

+1cc to Mr.P.Valliappan , Advocate SR.No. 25716
+1 cc to Government Pleader Sr.No. 25969

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A.SK(20/08/2020)

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