

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.11129/2020

J.Benjamin

.. Petitioner

Versus

1.The Tahsildar
Vandalur Taluk Office
Otteri, Peerkankaranai
Tamil Nadu 600 048.

2.The Revenue Divisional Officer
Chengalpattu,
Tamil Nadu-603001.

3.The District Revenue Officer
Collectorate,
Chengalpattu 603 001.

4.The District Collector
Collectorate,
Chengalpattu 603 001.

.. Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of directing the respondents to consider and pass orders the petitioner's application dated 09.08.2018 for grant of patta in accordance with law.

सत्यमेव जयते

For Petitioner : Mr.D.Prabhu Mukunth Arunkumar

For Respondents: Mr.E.Balamurugan, Spl.GP

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ORDER

(1)This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the application made by the petitioner on 09.08.2018 and to grant patta in favour of the petitioner.

- (2) The case of the petitioner is that the property originally belonged to his father and later, it was settled in his favour. The further case of the petitioner is that a joint patta was issued in Patta No.971 dated 26.04.2005. The petitioner found that a wrong entry was made by including the name of one Mr.Ravi in the Revenue Records. It is stated that the mistake happened at the time of sub-division of the survey numbers. It is further stated that a representation was given to the 1st respondent and the 1st respondent referred the matter to the 2nd respondent and the 2nd respondent, vide proceedings dated 18.12.2017, had cancelled all the sub-division and had further directed to restore the revenue records to its original position. The petitioner further states that the above said Ravi had filed an appeal against the said order and it was also dismissed by the 2nd respondent by proceedings dated 09.08.2018.
- (3) The petitioner, thereafter made an application before the respondents to grant patta in favour of the petitioner. The grievance of the petitioner is that the application has not been acted upon and left with no other alternative, the present writ petition has been filed before this Court.
- (4) Heard the learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader accepting notice on behalf of the respondents.
- (5) The learned Special Government Pleader appearing on behalf of the respondents submitted that the application which is said to have been filed before the 2nd respondent is not available in the office of the 2nd respondent. The learned counsel, therefore, submitted that a fresh application can be given before the 1st respondent and the 1st respondent will take note of the earlier orders passed by the 2nd respondent and effect necessary changes in the Revenue Records and deal with the application strictly in accordance with law.
- (6) Taking into consideration, the facts and circumstances of the case, there shall be a direction to the petitioner to submit a fresh application along with a copy of the application dated 09.08.2018 and all other relevant documents before the 1st respondent. The 1st respondent, on receipt of the application, shall immediately take it on file and deal with the same strictly in accordance with law and in line with the earlier orders passed by the 2nd respondent. The 1st respondent shall pass appropriate orders within a period of four weeks from the date of receipt of the fresh application from the petitioner. While making the representation, the petitioner shall also append the order passed by this Court in the present writ petition.

(7)The writ petition is disposed of with the above direction.
No costs.

(8)

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

AP

To

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Tamil Nadu 600 048.

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Chengalpattu, Tamil Nadu-603001.

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+1cc to Mr.Prabhu Mukunth, Advocate, S.R.No. 28562

WP.No.11129/2020

SVI (CO)
GN(16/09/2020)

सत्यमेव जयते

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