

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.44630 of 2016

Thimmarayappa

... Petitioner

v.

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

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to issue patta in favour of the petitioner in Survey Nos. 4/1, 4/2 Kodiyaalam Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr. N. Sureka

For Respondents : Ms. A. Madhumathi,
Special Govt. Pleader

सतयमेव जयते
O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to issue patta in respect of the land in Survey Nos. 4/1 and 4/2 Kodiyaalam Village, Hosur Taluk, Krishnagiri District.

2. Mr. N. Sureka, learned counsel appearing for the petitioner submitted that the petitioner is in possession and enjoyment of the land for several decades and that he has been paying the B Memo charges also, hence, the patta to be issued in his favour.

3. Ms. A. Madhumathi, learned Special Government Pleader appearing for the respondents submitted that the in the revenue records, the land in Survey Nos. 4/1 and 4/2 are classified as "River" and therefore, no patta can be issued in favour of the petitioner. Further, the learned Special Government Pleader submitted that the petitioner is also defaulted in paying the B Memo charges to the authorities. The submissions made by the learned Special Government Pleader are recorded.

4. Since the 3rd respondent has not disposed of the petitioner's representation dated 18.11.2016, without expressing any opinion with regard to the merits of the case, I direct the 3rd respondent to pass orders on the representation dated 18.11.2016 given by the petitioner on merits and in accordance with law, taking into consideration the entries made in the revenue records, within a period of six weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Rj
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, Advocaes Sr.37994
+1cc to the Government Pleader Sr.38271

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srg 07/12/2020