

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.18886 of 2017

Nalini ... Petitioner

Vs.

1.The District Collector, ... Respondents
Vellore.

2.The Revenue Divisional Officer,
Ranipet, Vellore District.

3.The District Collector,
Ranipet.

(R3 suo motu impleaded vide order dated 20.11.2020)

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 1st respondent herein to issue patta for the lands in the petitioner possession and enjoyment in S.F.No.26 and S.F.No.27 Thalikkal Village, Vellore District by considering the petitioner's representation dated 17.04.2017.

For Petitioner : Mr.S.Vinoth Kumar

For Respondents : Ms.A.Madhumathi,
Special Government Pleader (R1 to R3)

ORDER

The petitioner has filed the above Writ Petition to issue writ of mandamus directing the 1st respondent to issue patta for the lands which are in possession and enjoyment of the petitioner in S.F.Nos.26 and 27 Thalikkal Village, Vellore District by considering her representation dated 17.04.2017.

2.Admittedly, the petitioner has given a representation for issuance of patta based on the recommendation made by the 2nd respondent on 17.04.2017 to the 1st respondent.

3.When the Writ Petition is taken up for hearing, Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 & 2 submitted that the Vellore District has been bifurcated in the year 2020 and the land in question is within the jurisdiction of the District Collector,

Ranipet.

4.Since the Writ Petition was filed as early as in the year 2017 and the representation was also given in the year 2017, the petitioner had no opportunity to implead the District Collector, Ranipet. In such view of the matter, in the interest of justice, I *suo motu* implead the District Collector, Ranipet, as the 3rd respondent in the Writ Petition.

5.The learned Special Government Pleader taking notice for the newly impleaded 3rd respondent viz., the District Collector, Ranipet, submitted that the representation dated 17.04.2017 given by the petitioner to the 1st respondent viz., the District Collector, Vellore, may be forwarded to the 3rd respondent viz., the District Collector, Ranipet and on receipt of the same, the 3rd respondent may be directed to pass orders in accordance with law within a time frame.

6.The learned counsel for the petitioner has no objection for passing such an order.

7.Having regard to the submissions made by the learned counsel on either side, I direct the 1st respondent viz., the District Collector, Vellore to forward the representation given by the petitioner on 17.04.2017, to the 3rd respondent viz., the District Collector, Ranipet, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 3rd respondent is directed to pass orders, taking into consideration the recommendation made by the 2nd respondent, on merits and in accordance with law, within a period of six weeks thereafter.

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

-Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Vellore.

2.The Revenue Divisional Officer,
Ranipet, Vellore District.

3.The District Collector,
Ranipet.

W.P.No.18886 of 2017

PM (CO)
UM (15.12.2020)