

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.18967 of 2017

1.N.Basuvaraj
2.N.Venkatramaiah

... Petitioners

Vs.

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Forest Settlement Officer,
Krishnagiri, Krishnagiri District.

3.The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

4.The Tahsildar,
Sulagiri Taluk, Sulagiri,
Krishnagiri District.

... Respondents

(R4 impleaded vide order dated 20.11.2020 made in
W.M.P.No.24297/17)

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents to issue patta to the petitioners in respect of the land situated in Old S.Nos.74/1, 9, 10, 13 & 14, New S.Nos.118 to 187, Kumbalam Village, Sulagiri Taluk, Krishnagiri District to the extent of enjoying by the petitioners by disposing the written representation made by the petitioner on 13.05.2015 within a time frames fixed by this Honourable Court.

For Petitioners : Ms.R.Hemalatha for Mr.C.Prakasam

For Respondents : Ms.A.Madhumathi,
Special Government Pleader (R1, R3 & R4)

Mr.S.Prabhu,
Additional Government Pleader
(Forest) (R2)

O R D E R

The petitioners have filed the above Writ Petition to issue writ of mandamus directing the respondents to issue patta to the petitioners in respect of the land situated in

Old S.Nos.74/1, 9, 10, 13 & 14, New S.Nos.118 to 187, Kumbalam Village, Sulagiri Taluk, Krishnagiri District to the extent of enjoyment by the petitioners by disposing the written representation made by the petitioner on 13.05.2015 within a time frame.

2.The learned counsel appearing for the petitioners submitted that the petitioners have given the representation to the 3rd respondent on 13.05.2015, however, the 3rd respondent has not passed any order so. Further, the learned counsel submitted that the land lies within the jurisdiction of the 4th respondent viz., the Tahsildar, Sulagiri Taluk. The representation given to the 3rd respondent may be forwarded to the 4th respondent and thereafter, the 4th respondent may be directed to dispose of the same within a time frame in accordance with law.

3.Ms.A.Madhumathi, learned Special Government Pleader for the respondents 1, 3 & 4 submitted that the 4th respondent may be directed to consider the petitioner's representation dated 13.05.2015 and pass orders in accordance with law within six weeks time.

4.Mr.S.Prabhu, learned Additional Government Pleader (Forest) appearing for the 2nd respondent also re-iterated the submission made by the learned Special Government Pleader and also submitted that the land in question is a forest land and therefore, the petitioners are not entitled for any patta. The learned Additional Government Pleader further submitted that the 2nd respondent may also be given notice while passing orders on the representation of the petitioners.

5.Having regard to the submissions made by the learned counsel on either side, since the petitioners have not given any separate representation to the newly impleaded 4th respondent, I direct the 3rd respondent to forward the representation of the petitioners dated 13.05.2015 to the 4th respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 4th respondent is directed to pass orders, after giving notice to the 2nd respondent, on merits and in accordance with law, within a period of six weeks thereafter.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Forest Settlement Officer,
Krishnagiri, Krishnagiri District.

3.The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

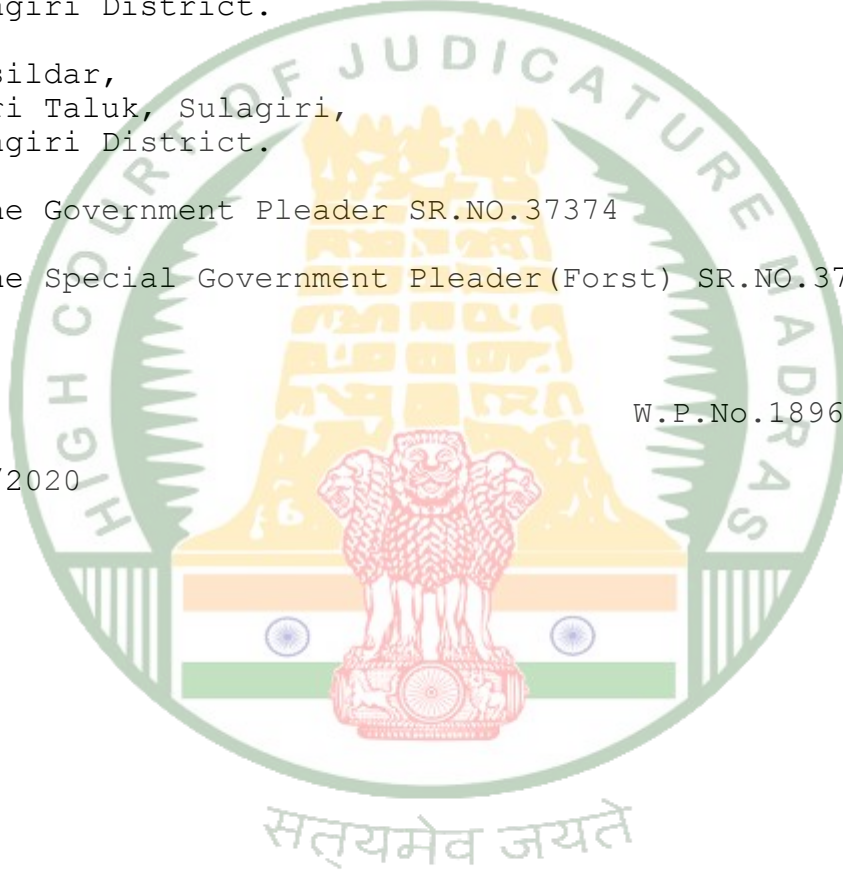
4.The Tahsildar,
Sulagiri Taluk, Sulagiri,
Krishnagiri District.

+1cc to the Government Pleader SR.NO.37374

+1cc to the Special Government Pleader(Forst) SR.NO.37410

GP CO
SDR 14/12/2020

W.P.No.18967 of 2017



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