



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8726 of 2020

and

W.M.P (MD) .No.8034 of 2020

WEB COPY

Sivanandi Thevar

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Theni District,
Theni.

3.The Zonal Deputy Tahsildar,
Periyakulam,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue patta to the petitioner for the land comprised in Survey No.736/1B to an extent of 13.05 acres situated at Pinnathevanpatti, Vadaveeranayackanpatti Village, Theni Sub Division, Theni District.

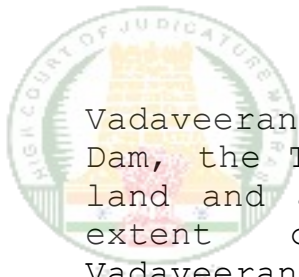
For Petitioner : Mr.A.Jeyaramachandran
For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to issue patta to the petitioner for the land comprised in Survey No.736/1B measuring to an extent of 13.05 acres, situated at Pinnathevanpatti, Vadaveeranayackanpatti Village, Theni Sub Division, Theni District.

2.Heard Mr.A.Jeyaramachandran, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3.According to the petitioner, his ancestors were doing cultivation in the punja land comprised in old Survey No.5/6-562, measuring to an extent of 5 acres 60 cents situated at



Vadaveeranayackanpatti Village. In order to construct the Vaigai Dam, the Tamil Nadu Government had acquired the entire extent of land and allotted dry land comprised in Survey No.736/1B to an extent of 13.05 acres situated at Pinnathevanpatti, Vadaveeranayackanpatti Village, Theni Sub Division, Theni District. After the allotment of the above said land, the third respondent had also issued D.K.T patta in the name of the petitioner. Thereafter, the petitioner is doing cultivation in the said land without any violation of the terms and conditions of the DKT patta. Hence, he sent a representation to the first respondent to issue regular patta in his name. In such circumstances, few Government Personnel visited his land and informed him that the Government was going to construct a school in this land. Therefore, the petitioner sent a representation dated 25.06.2020 to the first respondent. Since no action has been taken, the petitioner is before this Court.

4.The learned Special Government Pleader appearing for the respondents submitted that the second respondent is an competent authority to consider and pass orders on the petitioner's representation, but, the petitioner sent his representation only to the first respondent. Therefore, if the petitioner send his representation to the second respondent, the same will be considered and appropriate orders will be passed within the stipulated time.

5.Considering the limited scope of the prayer, without going into the merits of the case, the petitioner shall file any additional document along with the copy of the representation dated 25.06.2020 to the second respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, thereafter, the second respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing opportunity to the interested parties, within a period of twelve weeks.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected M.P., is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Theni District,
Theni.

3.The Zonal Deputy Tahsildar,
Periyakulam,
Theni District.

+1 CC to SGP (SR-16665[F] dated 11/09/2020)

+1 CC to Mr.A. JAYARAMACHANDRAN, Advocate (SR-16726[F] dated 14/09/2020)

W.P. (MD) No.8726 of 2020
10.09.2020

AL(CO)
KM (28.09.2020) 3P 6C