



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.18268 of 2020

Balasubramani

... Petitioner

-Vs-

1. The District Collector,
O/o. The District Collector
Ramanathapuram District.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram
3. The Tahsildar,
Ramanathapuram Taluk Office,
Ramanathapuram.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus to direct the respondent No.2 to dispose the petitioner's appeal in No.A6/4300/2020 and issue patta to the petitioner for the survey No.290/17 with extent about 0.2460.0 sq.mtr. which is situated in Palangulam Village, Peravoor, Ramanathapuram Taluk, Ramanathapuram District by considering his representation dated 01.12.2020.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.M.Muniyasamy

Additional Government Pleader

ORDER

The writ petition has been filed to direct the respondent No.2 to dispose the petitioner's appeal in No.A6/4300/2020 and issue patta to the petitioner for the survey No.290/17 with extent about 0.2460.0 sq.mtr. which is situated in Palangulam Village, Peravoor, Ramanathapuram Taluk, Ramanathapuram District by considering his representation dated 01.12.2020.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents. By consent of both sides, the writ petition is taken up for final hearing at the stage of admission itself.

3.According to the petitioner, after the demise of the petitioner's father, the land belongs to him in S.No.290 was devolved upon his brother and the petitioner herein. Apart from the



said land, the petitioner's family is doing agricultural activities in the adjacent lands also. When they approached the authorities for patta, it came to light that the lands are mentioned as Government Palangulam Natham in the adangal. Hence, the petitioner approached the second respondent by way of an appeal. Since the appeal has not been considered so far, the petitioner is before this Court with this writ petition for the aforesaid relief.

4.The learned Additional Government Pleader would submit that instead of approaching the third respondent Tahsildar, the petitioner has approached the appellate authority by way of an appeal.

5.The learned counsel for the petitioner would submit that the petitioner has approached the District Collector by sending representation dated 01.12.2020 and hence, the representation given to the District Collector may be treated as a representation to the Tahsildar, it is contended.

6.In view of the above, since the petitioner has approached the District Collector and the Revenue Divisional Officer instead of the third respondent Tahsildar, this Court cannot act as a Post Office to deliver a representation from one authority to another authority. It is for the petitioner to make proper representation to the concerned authority. Hence, without rendering any finding on the merits of the matter, the petitioner is permitted to make proper representation to the Tahsildar to consider his request and the Tahsildar, on receipt of the same, shall consider the same and pass orders within a period of 120 days from the date of receipt of such representation. The petitioner is expected to send the representation to the Tahsildar within a period of ten days from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The District Collector,
O/o. The District Collector
Ramanathapuram District.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram
3. The Tahsildar,
Ramanathapuram Taluk Office,
Ramanathapuram.

+1cc to M/s.Additional Government Pleader, SR No. 25536

Order made in
W.P. (MD) No.18268 of 2020
11.12.2020

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SSS(CO)
KK(20.01.2021) 3P 5C