

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2021

CORAM

THE HON'BLE MR. JUSTICE S.S.SUNDAR

W.P.No. 7841 of 2021

Nallamuthu

..Petitioner

Vs

1. The District Revenue Officer,
Collector's Office Building Campus,
Salem - 636 001.
2. The Revenue Divisional Officer,
Sankagiri, Salem District.
3. The Tahsildar,
Edappadi Taluk,
Salem District.
4. Chitta Gounder
5. Chetti
6. Mottaiyan

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1&2 to consider and pass orders on the petitioners application dated 07.10.2020 for modification of Patta within a reasonable time frame as fixed by this Court.

For Petitioner : Mr.R. Venkatraman

For RR 1 to 3 : Mr.G. Rajesh
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, directing the respondents 1 & 2 to consider and pass appropriate orders on the petitioner's representation dated 07.10.2020.

2. The case of the petitioner is that the lands to an extent of 24.7 cents in S.F.No.452/3, 22 cents in S.F.No.453/10 and 24 cents in S.F.No.455/1 in Vellarivelli Village in Edappadi Taluk, Salem District belonged to the petitioner's father. In all the Revenue records, including Patta, the properties stood in the name of the petitioner's father. The petitioner's family is in possession and enjoyment of the properties for several decades. In October 2020, the petitioner learnt that Patta has been modified by removing the name of petitioner's father and by including the names of the respondents 4 to 6 and their family members. It is the case of petitioner that the respondents 1 to 3 have not issued any notice to the petitioner before effecting any mutation in the Patta. Therefore, the petitioner sent a representation dated 07.10.2020 to the respondents 1 to 3 to modify the present Patta bearing Nos.2269, 2608 and 3016 with regard to the properties/land by including the name of the petitioner and his family members. It is stated that the respondents have failed to conduct any enquiry and pass orders on the petitioner's representation. Hence, the petitioner has come forward with the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner has produced all the relevant records to restore Patta. The learned counsel further submitted that the petitioner will be satisfied if a direction is issued to the 2nd Respondent/RDO to consider the petitioner's representation dated 07.10.2020 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 2nd Respondent/Revenue Divisional Officer to consider the petitioner's representation dated 07.10.2020 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents 4 to 6 within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

msm

To

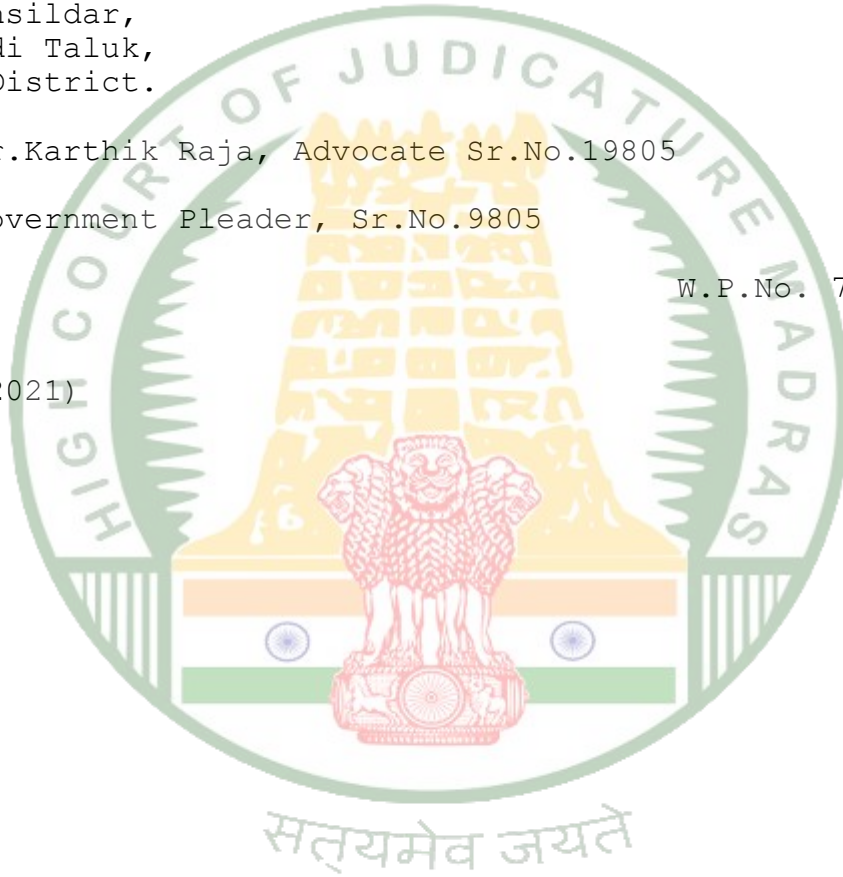
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Salem District.

+1cc to Mr.Karthik Raja, Advocate Sr.No.19805

+1cc to Government Pleader, Sr.No.9805

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SR-II (CO)
HS (13/07/2021)



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