



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No. 8868 of 2021

A.Kasi,
S/o. Ammasi

... Petitioner

Versus

1. The District Collector,
Salem District,
Salem-1.
2. The Revenue District Officer,
Attur Taluk,
Salem.

3.*The Tahsildar

Thalaivasal Taluk

Thalaivasal, Salem District 636 112

... Respondents

(Cause Title amended to the order dated 25.06.2021 made in
W.M.P.No.11250/2021 in W.P. 8868/2021)

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to take action on the representation of the petitioner dated 27.07.2019 and further representation dated 08.03.2021 and restore patta No.2141 in favour of the petitioner.

For Petitioner : Mr.A.E.Ravichandran

For Respondents : Mr.S.N.Parthasarathi,
Govt. Advocate

ORDER

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the 3rd respondent to consider the petitioner's representation dated 27.07.2019 for restoration of patta in his favour.



2. The grievance of the petitioner is that, earlier, for an agricultural land in respect of Survey No.222/2 (part), in Kamakkapalayam Village, Attur Taluk, Salem District, a joint patta was issued in favour of co-owners and subsequently, on the application submitted by the petitioner, a separate patta was issued in favour of petitioner. Once again, without notice to the petitioner, the respondents have issued a joint patta in favour of co-owners. Therefore, the petitioner has submitted a representation dated 27.07.2019 for issuance of separate patta. In pursuance of the same, the enquiry notice was issued by the 2nd respondent, and the 2nd respondent has also issued a memorandum directing the Tahsildar to conduct enquiry, but even thereafter, the enquiry was not conducted. Therefore, once again, the petitioner has sent another representation to the respondents and that was also not considered. Hence, the present Writ Petition has been filed by the petitioner.

3. I have heard and considered the rival submissions made by learned counsel appearing for petitioner as well as learned Special Government Pleader and perused the records carefully.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 3rd respondent is directed to conduct enquiry and to pass suitable orders on merits after giving notice to the petitioner within a period of eight weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

Dated: 03.05.2021

*** Amended carried out as per the
direction of this Court dated 25.06.2021
made in W.M.P.No.11250 of 2021 in
W.P.No.8868/2021
sd/- Assistant Registrar(CS-III)
Dated: 19.07.2021**

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Salem District,
Salem-1.

To be substituted to the
- order already despatched
on 23.06.2021
-



2. The Revenue District Officer,
Attur Taluk,
Salem.

3. **The Tahsildar**
Thalaivasal Taluk
Thalaivasal, Salem District 636 112

+1 cc to M/s.AE.Ravichandran, Advocate, SR.NO.22293

+1 cc to Government Pleader, SR.NO.22455

W.P.No. 8868 of 2021

PL(CO)
NS(04/05/2021)
SP(19/07/2021)