



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.12800 of 2021
and W.M.P.No.13599 of 2021

P.Gopalakrishnan

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Salem, Salem District.

2.The Assistant Director,
Land Survey Department, Collectorate,
Salem, Salem District.

3.The Tahsildar,
Salem West Taluk, Suramangalam,
Salem District.

4.The Taluk Surveyor,
O/o Salem West Taluk,
Suramangalam, Salem District.

5.P.Viswanathan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the first respondent to issue suitable instructions to the third respondent to carry out necessary entry in the revenue records and survey records in so far relates to T.S.No.7/4, Ward No.E-6, Pallapatti Village, Salem Municipal Corporation Limit, Salem District as per proceedings Na.Ka.2891/2021/A3, dated 16.02.2021 within stipulated time as fixed by this Court.

For Petitioner : Mr.C.Prakasam

For Respondents 1 to 4 : Mr.Yogesh Kannadasan,
Government Advocate



O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction to the third respondent Tahsildar to carry out mutation in the revenue records as per the order passed by the first respondent RDO in his proceedings in Na.Ka.2891/2021/A3, dated 16.02.2021.

2. According to the petitioner, earlier there was a civil dispute between the petitioner and his vendor, the fifth respondent herein, which was subsequently settled between the parties in the Hon'ble Supreme Court in S.L.P.No.10729 of 2019, dated 29.07.2019. Thereafter, the petitioner approached the first respondent to pass suitable orders for issuing joint patta including the name of the petitioner's vendor one Mr.Palaniappa Chettiar. Considering the said application, the first respondent RDO passed an order vide proceedings in Na.Ka.2891/2021/A3, dated 16.02.2021 for issuing joint patta including the name Mr.K.Palaniappan S/o Krishnan Chettiar in respect of S.No.7/5 and also to issue patta in respect of 13 feet pathway in favour of the petitioner in respect of S.No.7/4 in Pallapatti Village, Salem District. Thereafter, the order was not challenged by anyone. Therefore, the petitioner approached the third respondent Tahsildar to carryout mutation, but so far no order has been passed, hence the present writ petition has been filed.

3. Earlier notice was ordered to the respondents and today Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents 1 to 4, on instructions, submitted that based on the proceedings of the first respondent RDO, the third respondent Tahsildar will pass orders within a period of four weeks.

4. Recording the above submission made by the learned Government Advocate, the third respondent is directed to consider the petitioner's request and pass suitable orders based on the orders passed by the first respondent RDO in Na.Ka.2891/2021/A3, dated 16.02.2021, within a period of four weeks from the date of receipt of a copy of this order after hearing the petitioner. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



kk

To

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- 1.The Revenue Divisional Officer,
Salem, Salem District.
- 2.The Assistant Director,
Land Survey Department, Collectorate,
Salem, Salem District.
- 3.The Tahsildar,
Salem West Taluk, Suramangalam,
Salem District.
- 4.The Taluk Surveyor,
O/o Salem West Taluk,
Suramangalam, Salem District.

+1cc to Mr.C.Prakasam, Advocate (SR No.35397)
+1cc to Government Pleader (SR No.35983)

W.P.No.12800 of 2021 and
W.M.P.No.13599 of 2021

GPL (CO)
PR (17/08/2021)