

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 07.04.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.13936 of 2018 and
W.M.P.No.16463 of 2018

C.Balasundaram

... Petitioner

Vs.

- 1.The District Collector,
Erode District,
Erode - 638 011.
- 2.The District Revenue Officer,
Erode.
- 3.The Revenue Divisional Officer/Sub Collector
Sub Collector's Office,
Gobichettipalayam.
- 4.The Tahsildar,
Tahsildar Office
Satyamangalam.

.... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the 4th respondent to grant patta to the petitioner in respect of the land situate in Survey Field No.68/11, Pudhukalaiyanur Village, Sathyamangalam Taluk, Erode District on the basis of the Memo issued by the third respondent in the proceedings O.Mu.8387/15 A3 dated 16.10.2015 pursuant to the petitioner's representations dated 31.08.2015 & 07.10.2015.

For Petitioner : Mr.P.Valliappan

For Respondents : Mr.J.Pothiraj
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the fourth respondent to grant patta to the petitioner in respect of the land situate in Survey Field No.68/11, Pudhukalaiyanur Village, Sathyamangalam Taluk, Erode District on the basis of the Memo issued by the third respondent in the

proceedings O.Mu.8387/15 A3 dated 16.10.2015 pursuant to the petitioner's representations dated 31.08.2015 & 07.10.2015.

2.The petitioner in respect of land i.e., Government Poramboke land at Field No.68/11, Pudhukalaiyanur Village, Sathyamangalam Taluk, Erode District had made a request by his representation dated 07.10.2015 to the Revenue Divisional Officer, Gobichettipalayam i.e., the third respondent stating that, since the petitioner had already given a representation on 31.08.2015 to the fourth respondent Tahsildar to issue patta in respect of the land mentioned and the same has not been considered by the fourth respondent Tahsildar, he had given that representation to the Revenue Divisional Officer/third respondent who on receipt of the same, issued a memo dated 16.10.2015 directing the fourth respondent/Tahsildar to decide the plea of the petitioner with regard to the issuance of patta in Government Anathena Poramboke land at Survey No.68/11 to the extent of 0.24.50 hectare and despite the said memo, where, the third respondent directed the fourth respondent, he has not so far acted upon, hence seeking a direction from this Court, this writ petition has been filed with the aforesaid prayer.

3.Reiterating the aforesaid facts, Mr.P.Valliappan, learned counsel appearing for the petitioner seeks indulgence of this Court to give a direction as prayed for.

4.Heard Mr.J.Pothiraj, learned Special Government Pleader appearing for the respondents, who would submit that, if the said request of the petitioner, as directed by the third respondent vide his memo dated 16.10.2015 so far has not been considered and no final order has been passed by the fourth respondent, certainly, that would be considered and final orders would be passed within a time frame that may be stipulated by this Court.

5.I have considered the said submissions made by the learned counsel appearing for the parties and by taking into account the innocuous nature of the prayer sought for, where, the petitioner seeks a mandamus to the fourth respondent to pass orders on the representation of the petitioner dated 31.08.2015, as directed by the third respondent dated 16.10.2015 vide his memo, this Court is inclined to pass the following orders.

That the fourth respondent is hereby directed to consider the representation of the petitioner dated 31.08.2015 with regard to patta on the Government Anathena Poramboke land at S.No.68/11 at Pudhukalaiyanur Village, Sathyamangalam Taluk, Erode District as directed by the third respondent vide his memo dated 16.10.2015 on merits and in accordance with law and pass final orders thereon within a period of

six weeks from the date of receipt of a copy of this order.

6. With these directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sgl

To

1. The District Collector,
Erode District,
Erode - 638 011.
2. The District Revenue Officer,
Erode.
3. The Revenue Divisional Officer/Sub Collector
Sub Collector's Office,
Gobichettipalayam.
4. The Tahsildar,
Tahsildar Office
Satyamangalam.

+1cc to Mr.P.Valliappan, Advocate, S.R.No.22016

+1cc to the Government Pleader, S.R.No.22199

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GPL (CO)
KM(23/04/2021)