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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16905/2021.

[Video Conferencing]

Narasiman

... Petitioner

Versus

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

... Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to issue the patta to the name of the petitioner in respect of the property which is situated at s.No.458, Nagalamman Kombai, V.Muthampatti, Dharmapuri Taluk and District based on the representation of the petitioner dated 18.01.2021 within stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents.
- (2) The writ petition has been filed in the nature of a mandamus seeking a direction particularly against the 3rd respondent / Tahsildar, Dharmapuri Taluk and District, to grant patta with respect to the lands in S.No.458,



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Nagalamman Kombai, V.Muthampatti, Dharmapuri Taluk and District.

- (3) It is claimed by the petitioner that he is in possession and enjoyment of the said property for the past 40 years. He has also constructed a house and is doing agriculture. He is also paying the property tax and electricity service connection has also been granted to him. He has also dug a bore well in the land. The land has been classified as Natham Poramboke. He had given representations for grant of patta in his name. He had earlier sent a representation on 09.10.2017 to the 1st respondent/District Collector, Dharmapuri District and my attention was drawn to the proceedings of the 1st respondent dated 25.10.2017 addressed to the 3rd respondent/Tahsildar, directing the Tahsildar to take further steps in accordance with the representation. The 3rd respondent, for the reasons best known, had not taken any action. My attention was also drawn to the further proceedings of the 2nd respondent / Revenue Divisional Officer, Dharmapuri, again addressed to the Tahsildar on 28.12.2017, again directing him to act on the petitioner's representation. The Tahsildar had again not taken any steps. The petitioner, had thereafter given a further representation on 18.11.2021 to the 1st respondent. Frustrated by the inaction on the part of the 3rd respondent/Tahsildar, the petitioner has filed the present writ petition.
- (4) It would only be appropriate that a mandamus is directed to the 3rd respondent/Tahsildar, Dharmapuri Taluk and District to enquire the petitioner in the nature of the representation given by him, examine the documents relating to the holding of the petitioner with respect to the aforesaid lands and thereafter take a decision to grant patta to the petitioner or not. The Tahsildar should take necessary action and comply with the said representation within a period of twelve weeks from the date of receipt of a copy of this order.
- (5) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

AP



To

1. The District Collector
O/o.The District Collector
Dharmapuri District, Dharmapuri.

2. The Revenue Divisional Officer
O/o.The District Collector
Dharmapuri District, Dharmapuri.

3. The Tahsildar
Dharmapuri Taluk Office
Dharmapuri Taluk

+1CC to Mr.M.Senthilkumar, Advocate, Sr.No.40330

+1CC to Government Pleader, Sr.No.40731

WP.No.16905/2021

CNR (CO)

K.RK. (03.09.2021)