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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 19881 of 2019

S. Pushpa

...Petitioner

Vs

1.The District Collector,
Vellore District, Collectorate,
Sathuvachari, Vellore - 632 009.

2.The Sub Collector,
Vellore Division, Vellore,
Collectorate Building,
Sathuvachari, Vellore - 632 009.

3.The Tahsildar,
Vellore Taluk, Arni Road,
Velappadi, Vellore - 632 001

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 23.02.2019 and as per the proceedings in Na.Ka.No.D3/5036/2019 dated 14.03.2019 passed by the first respondent.

For petitioner ... Mr.S.Sathia Chandran

For respondents ... Mr.KMD.Muhilan,
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to consider the petitioner's representation with regard to correction in the patta.

2. According to the petitioner, he is the owner of the property in S.No.419/1A, Nanjukondapuram Village, Vellore Taluk, to an extent of 85.99 Ares. While issuing patta, the 3rd respondent/Tahsildar issued a patta only in respect of 78.50 Ares leaving the remaining extent of 7.49 Ares. In the said circumstances, the petitioner has made a representation to the first respondent/District Collector to issue patta for the



entire extent. The first respondent/District Collector, in and by his proceedings dated 14.03.2019, directed the 2nd respondent/Sub-Collector, to consider the petitioner's representation and take suitable action on the same. But, so far no order has been passed. Hence, the present writ petition has been filed.

3. The learned Government Advocate would submit that the Sub-Collector is the appellate authority and the 3rd respondent/Tahsildar is only the competent authority to make any correction in the patta. Since the petitioner has given representation to the first respondent/District Collector, petitioner may be directed to file a fresh representation before the 3rd respondent/Tahsildar seeking for correction in the patta.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

5. Considering the above submission, the petitioner is directed to give a fresh representation to the 3rd respondent/Tahsildar seeking for correction with regard to the extent of the property in the patta within a period of two weeks from the date of receipt of a copy of this order. On filing such representation, the 3rd respondent is directed to consider the same and pass suitable orders, on merits and in accordance with law, after giving opportunity to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The District Collector,
Vellore District, Collectorate,
Sathuvachari, Vellore - 632 009.

2.The Sub Collector,
Vellore Division, Vellore,
Collectorate Building,
Sathuvachari, Vellore - 632 009.



3.The Tahsildar,
Vellore Taluk, Arni Road,
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+1 cc to M/s.Sathia Chandran, Advocate Sr.No.33676

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VSN-II (CO)
RVM(19/08/2021)