

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.18602 of 2018

R.Sivasamy
S/o.Ramasamy

... Petitioner

Vs.

1.The District Collector,
Perambalur District,
Perambalur.

2.The Revenue Divisional Officer,
Perambalur District,
Perambalur.

3.The Deputy Tahsildar,
Kunnam Taluk Office,
Kunnam, Perambalur District.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 08.05.2018 in accordance with law and direct the third respondent to issue patta to the petitioner's Natham land comprised in Village Survey No.134/1, situated at E.Pudur Village, Keezhpudur Majira, Kunnam Taluk, Perambalur District.

For Petitioner : Mr.R.Srinivasa Rao

For Respondents: Ms.A.Madhumathi,
Spl. Govt. Pleader

ORDER

The writ petition is filed for issuing a writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 08.05.2018 in accordance with law and direct the third respondent to issue patta to the petitioner's Natham land comprised in Village Survey No.134/1, situated at E.Pudur Village, Keezhpudur Majira, Kunnam Taluk, Perambalur District.

2.In the affidavit filed in support of the writ petition, it is stated that the petitioner and his family members are in

possession and enjoyment of the residential plot in Survey No.134/1 in K.P.udur Village. From the records it is seen that the petitioner's mother is residing in a small house, which has been constructed in the property. It is also stated that the petitioner's mother was enjoying the property from the date of assignment by the Revenue Department in the year 1988 and that he is also paying the property Tax, Water Tax, Electricity charges and all other Government dues in his name. Hence, the petitioner applied for issuance of separate patta and he also submitted a representation on 08.05.2018 to the respondents. Since, the respondents did not consider the representation till date, the present writ petition is filed.

3.The learned Special Government Pleader appearing for the respondents submitted that the petitioner has not produced the vital documents and particulars about the status of the petitioner's mother and the original allotment that was made in her favour.

4.Having regard to the limited scope of the petition, this Court, without expressing any opinion on the merits of the petitioner's representation, directs the second respondent to consider the representation submitted by the petitioner dated 08.05.2018 and dispose of the same in accordance with law, after holding enquiry and giving opportunity to the petitioner. This exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order. The respondent may consider the assignment of land in favour of petitioner's mother and the fact that the land has been classified as natham even as per the assignment in the year 1988.

With the above directions, the writ petition is disposed of. No Costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VII)

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Sub Assistant Registrar

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1.The District Collector,
Perambalur District,
Perambalur.

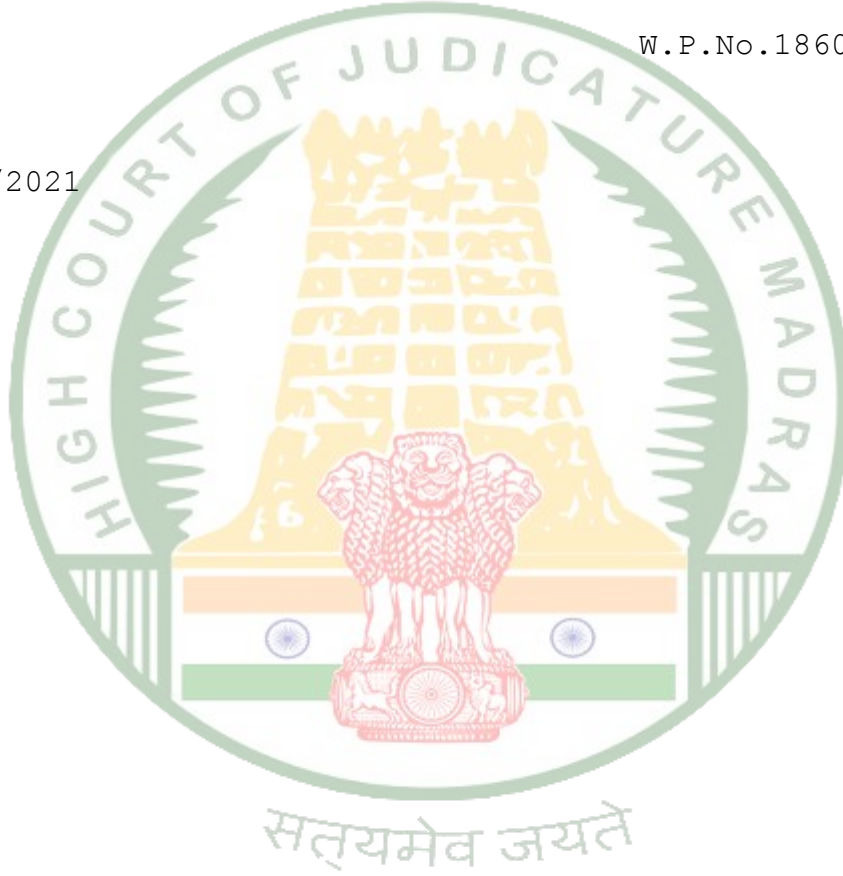
2.The Revenue Divisional Officer,
Perambalur District,
Perambalur.

3.The Deputy Tahsildar,
Kunnam Taluk Office,
Kunnam, Perambalur District.

+lcc Mr.R.Srinivasa Roa, Advocate Sr.19907
+lcc to the Government Pleader Sr.20155

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srg 29/06/2021



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