



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.23166 of 2021

P.Raman

...Petitioner

Vs.

1. The District Revenue Officer,
Dharmapuri Collectorate,
Dharmapuri District - 636 705

2. The Tahsildar,
Paperreddipatti Taluk,
Dharmapuri District - 636 705

3. The Village Administration Officer,
Pattukonampatti Village,
Paperreddipatti Taluk,
Dharmapuri District - 636 705

4. The Revenue Inspector,
Pattukonampatti Village,
Paperreddipatti taluk,
Dharmapuri District - 636 705

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to consider the representations of the petitioner dated 18.09.2021 and 28.09.2021.

For Petitioner : Mr.R.Sathish Kumar

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

O R D E R

With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.

2. The present Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to consider the representations of the petitioner dated 18.09.2021 and 28.09.2021.

3. The case of the petitioner is that the petitioner is in possession of the ancestral property bearing Survey No.267/7



measuring an extent of 0.16.0 hectares in Pattukonampatti village, Papiredipatti taluk in pursuant to the partition deed dated 24.02.2021 in document bearing no.2928. Subsequently, when the petitioner planned to put up construction in his property, he found that there is a variation in actual possession when compare to the revenue records in respect of survey no.267/7. Thereafter, the petitioner made representation to the respondents 2 and 3 dated 18.09.2021 and another representation to the respondents 1 and 4 dated 28.09.2021 to measure the land, as per the revenue records in respect to FMB, patta or A-Register and mark the boundaries by fixing survey stones. Since the respondents neither rejected the representations nor passed any appropriate orders, the petitioner has come up with the present petition.

4. The learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is issued to the second respondent to consider the petitioner's representations dated 18.09.2021 and 28.09.2021 and dispose of the same within a stipulated time that may be framed by this Court.

5. Mr. Yogesh Kannadasan, learned Government Advocate appearing for the respondents, on instructions from the officer of the respondent/Department submitted that a direction may be issued to the 2nd respondent to consider the prayer of the petitioner and twelve weeks time may also be granted to the 2nd respondent to consider the same.

6. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representations dated 18.09.2021 and 28.09.2021 or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the second respondent to consider the petitioner's representation dated 18.09.2021 and 28.09.2021, after issuing notice to the parties concerned and if any case is made out by the petitioner, the authorities are directed to pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssd



To

1. The District Revenue Officer,
Dharmapuri Collectorate,
Dharmapuri District - 636 705

2. The Tahsildar,
Paperreddipatti Taluk,
Dharmapuri District - 636 705

3. The Village Administration Officer,
Pattukonampatti Village,
Paperreddipatti Taluk,
Dharmapuri District - 636 705

4. The Revenue Inspector,
Pattukonampatti Village,
Paperreddipatti taluk,
Dharmapuri District - 636 705

+1cc to M/s.R.Sathith Kumar, Advocate, S.R.No.55991

+1cc to the Government Pleader, S.R.No.56622

W.P.No.23166 of 2021

KSM(CO)
RGA(/12/2021)