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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24689 of 2021

R. Govarthanan

.... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by The Secretary to Government,
Agricultural Department,
Fort St.George,
Chennai - 9.

2. The State of Tamil Nadu,
Represented by The Secretary to Government,
Revenue Department,
Chennai - 9.

3. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

4. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.

5. The Revenue Divisional Officer,
Tiruvannamalai.

6. The Tahsildar,
Kilpernnathur Taluk Office,
Tiruvannamalai District.

7. The Secretary,
Tiruvannamalai Market Committee,
Tiruvannamalai.

.... Respondents

Prayer :- Writ Petition filed under Article 226 of the
Constitution of India praying for the issuance of a Writ of
Mandamus, directing the respondents to consider the petitioner's



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representation dated 21.09.2021 and pass suitable orders to issue no objection certificate by the first respondent for issuing patta in the name of the petitioner and other legal heirs for the land in S.No.75/2A, Kilpennathur Village, Kilpennathur Taluk, Tiruvannamalai District by the 6th respondent.

For Petitioner : Mr.V. Jayaprakash Narayanan

For Respondents: Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.09.2021 and pass suitable orders to issue no objection certificate by the first respondent for issuing patta in the name of the petitioner and other legal heirs for the land comprised in S.No.75/2A situated at Kilpennathur Village, Kilpennathur Taluk, Tiruvannamalai District, by the 6th respondent.

2. Heard, Mr.V. Jayaprakash Narayanan, learned counsel appearing for the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents.

3. The land, comprised in survey No.75/2A admeasuring to an extent of 1.74 acres situated at Kilpennathur Village, Tiruvannamalai Taluk, owned by the petitioner's grandfather. After his demise, the petitioner's father derived title and after his father's demise, the petitioner is one of the legal heir of his father. When his grandfather was alive, on a request made by erstwhile North Arcot Market Committee, for establishment of market at Kilpennathur, the first respondent initiated the land acquisition proceedings vide G.O.Ms.No.1572, Agriculture (A.M.II) dated 14.08.1984, to acquire the subject property. It was challenged before this Court in W.P.No.181 of 1985 and the entire land acquisition proceeding was quashed by an order dated 04.10.1993. Though the entire acquisition proceeding was quashed, the revenue records were mutated in the name of the North Arcot Market Committee. Therefore, the petitioner submitted a representation to mutate the revenue records in his favour. On receipt of the same, the fifth respondent directed the sixth respondent to conduct enquiry in this regard and take immediate steps. Even then, the third and fifth respondents did not choose to conduct any enquiry.



4. Considering the above, the sixth respondent is directed to issue notice to the parties concerned including the petitioner ; conduct enquiry after giving them an opportunity of hearing in respect of mutation of revenue records and issuance of patta in favour of the petitioner for the subject land comprised in S.No.75/2A situated at Kilpennathur Village, Kilpennathur Taluk, Tiruvannamalai District and pass appropriate order on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Secretary to Government,
State of Tamil Nadu,
Agricultural Department,
Fort St.George,
Chennai - 9.
2. The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Chennai - 9.
3. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
4. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
5. The Revenue Divisional Officer,
Tiruvannamalai.



6. The Tahsildar,
Kilpernnathur Taluk Office,
Tiruvannamalai District.

7. The Secretary,
Tiruvannamalai Market Committee,
Tiruvannamalai.

+1cc to M/s.V.Jayaprakash Narayanan, Advocate Sr.59910
+1cc to the Government Pleader Sr.60264

W.P.No.24689 of 2021

ad[co]
srg 04/01/2022