



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.34261 OF 2019

[Video Conferencing]

A.Xavier

... Petitioner

Versus

1. The District Collector,
Udagamandalam,
Nilgiris District.
2. The Revenue Divisional Officer,
Coonoor,
Nilgiris District,
3. The Tahsildar,
O/o.Tahsildar,
Coonoor,
Nilgiris 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 patta in S.No.454 Ulikal Village - II, Coonor Taluk, Nilgiris District in favour of the petitioner by considering the representation made by the petitioner dated 24.06.2019, within the time to be stipulated.

For Petitioner : Mr.R.Chandrasekaran

For Respondents : Mr.K.M.D.Muhilan
Government Advocate



ORDER

This writ petition has been filed for issuance of a writ of mandamus seeking a direction to the 3rd respondent/The Tahsildar, Coonoor, Nilgiris District, to issue a patta in S.No.454 Ulikal Village - II, Coonor Taluk, Nilgiris District in favour of the petitioner in keeping with the representation given on 24.06.2019.

2. It is the claim of the petitioner that he had been residing in the address viz., non such Estate, Ottar Line for the past several years. He had further stated that he has been in enjoyment of the property at S.No.454, measuring an extent of 1 1/2 acres of agricultural land and also a house in the said land, which has been constructed by his forefathers. He claimed that he is ready to live in the Government land situated nearby at Santhakadai and it has been identified by the respondents. He had given a representation to decide the to grant the land on 24.06.2019.

3. Counter has been filed on behalf of the Government Pleader, wherein, after the history of the land with respect to the land at Ottar line had been stated and reliance has been placed on the Government Order passed an order in G.O.1168, dated 25.07.1989, banning assignment of lands in Nilgiris District. Since there is a ban in the Tahsildar, Coonoor, Nilgiris District, is bound to act only in accordance with the rules composed by the Government.

4. The writ petition is dismissed. However, liberty is given to the petitioner to approach the concerned officials as mentioned in G.O.1168, dated 25.07.1989. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Udagamandalam,
Nilgiris District.



2. The Revenue Divisional Officer,
Coonoor,
Nilgiris District,

3. The Tahsildar,
O/o.Tahsildar,
Coonoor,
Nilgiris District.

+lcc to Mr.R.Chandrasekaran, Advocate, S.R.No.37682

+lcc to the Government Pleader, S.R.No.38077

W.P.NO.34261 OF 2019

GPL (CO)
PBS/27/08/2021