



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.14325 of 2014

1. G.Selvam
2. N.Nallamuthu
3. Subbu
4. Sekar
5. Nallamuthu

...Petitioners

Vs.

1. The Principal Secretary and Commissioner
of Land Administration,
Chepauk, Chennai - 600 005.
2. The Principal Secretary and Commissioner
of Rural Development,
Panagal Building,
Chennai - 600 015.
3. The District Collector,
Salem District, Salem - 636 001.
4. The Revenue Divisional Officer,
Attur, Salem District.
5. The Tahsildar,
Attur, Salem District.
6. The Commissioner,
Attur Panchayat Union,
Attur, Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to issue house site pattas to the petitioners for their houses constructed in S.No.64/12 in Valayamadevi Village, Attur Taluk and Salem District after resuming the same from the sixth respondent.

For Petitioners : Mr.P.Jagadeesan

For Respondents : Mr.Richardson Wilson

Government Advocate (for R1 to R5)

: Mr.V.Jayaprakash Narayanan

Senior Counsel (for R-6)



O R D E R

This Petition has been filed seeking to direct the respondents to issue house site Pattas to the petitioners for their houses constructed in S.No.64/12 in Valayamadevi Village, Attur Taluk and Salem District after resuming the same from the sixth respondent.

2. The case of the petitioners is that they constructed houses along with other persons in the land comprised in S.No.64/12 admeasuring 1.01.5 Hectares situated Valayamadevi Village, Attur Taluk and they are living in their respective houses for the past 75 years. The petitioners and others are belonging to Adi Dravidar community. Therefore, they made repeated representation to the authorities concerned for issuance of Patta for their respective houses. In furtherance to their representation, the Attur Panchayat Union passed by its resolution dated 26.02.2007, recommended the request of the petitioners and forwarded the recommendation to the fifth respondent for issuance of Patta. In fact, the sixth respondent attested the same. After completion of their construction, the Panchayat Union also has laid road and water connection were given to all the houses. All the houses were assessed house tax and the Panchayat Union had collected house tax from the respective persons.

3. On a perusal of the records, it reveals that the fifth respondent also recommended for issuance of Patta to the petitioners by communication dated 16.03.2012 and 21.03.2012. In fact, the fourth respondent also on receipt of the recommendation from the fifth respondent, by the communication dated 06.11.2012 informed the fifth respondent that the District Revenue Officer, Salem had called for report in which it has been recommended to issue house pattas to the petitioners, and directed him to send necessary propositions. Based on that communication, the fifth respondent by the communication dated 12.06.2013, again recommended for issuance of Patta to the petitioners. On the basis of these recommendations, the fifth respondent again communicated the same to the third respondent. On receipt of the same, the third respondent did not take any steps for issuance of Patta to the petitioners.

4. Considering the above facts and circumstances, this Court deems fit to direct the third respondent to consider the request of the petitioners, in view of the recommendations of the fourth and fifth respondents and pass 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.



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5. With above direction, this Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Principal Secretary and Commissioner
of Land Administration,
Chepauk, Chennai - 600 005.
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of Rural Development,
Panagal Building,
Chennai - 600 015.
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4. The Revenue Divisional Officer,
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5. The Tahsildar,
Attur, Salem District.
6. The Commissioner,
Attur Panchayat Union,
Attur, Salem District.

+1cc to Mr.P.Jagadeesan, Advocate, S.R.No.39913

+1cc to the Government Pleader, S.R.No.40388

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SSI[co]
NSK 14/09/2021