



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2021

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.12999 of 2021

WEB COPY

S.Moorthi

... Petitioner

vs.

1)The District Collector,
District Collector Office,
Dindigul District.

2)The Revenue Divisional Officer,
Revenue Divisional Office,
Kodaikanal,
Dindigul District.

3)The Tahsildar,
Tahsildar Office,
Kodaikanal,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue a fresh patta by mentioning the total agricultural land with an extent of 66 ares as per the assignment order given in favour of the petitioner vide proceedings Na.Ka.No.4408/02/A1.D.K.D.No. /1419 dated 01.06.2009 by considering the petitioner's representations dated 02.08.2019 and 16.02.2021 within a stipulated time fixed by this Hon'ble Court based on the petitioner's representation dated 16.02.2021.

For Petitioner : Mr.Henri Tiphagne

For Respondents : Mr.R.Suresh Kumar, Government Advocate

ORDER

The petitioner has filed this writ petition for issuance of a Writ of Mandamus, directing the respondents to issue a fresh patta by mentioning the total agricultural land with an extent of 66 ares as per the assignment order given in favour of the petitioner vide proceedings Na.Ka.No.4408/02/A1.D.K.D.No. /1419 dated 01.06.2009 by considering the petitioner's representations dated 02.08.2019 and 16.02.2021 within a stipulated time fixed by this Court based on the petitioner's representation dated 16.02.2021.

2.The case of the petitioner is that he has been engaged in agricultural farming for the past 40 years. The petitioner claimed that he and some other persons were rescued from the Bonded Labour



System by the District Revenue Administration after the intervention of the Hon'ble Supreme Court and non Governmental Organizations and the Supreme Court has given certain directions to the State Government for the rehabilitation of 157 families in W.PNo.574/1986 dated 16.10.1986.

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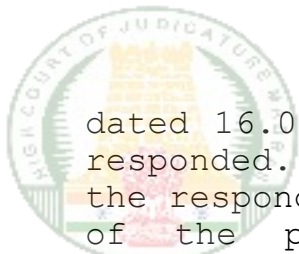
3.The learned counsel for the petitioner would state that as a part of the rehabilitation measures as directed by the Apex Court, the District Administration has provided free agricultural land to the petitioner and others. According to the petitioner, the 3rd respondent assigned totally 66 ares of agricultural landed properties situated in Kookkal Village, Kodaikkanal Taluk, in favour of the petitioner vide proceedings in Na.Ka.No.4408/02/A1.D.K.D.No. /1419 dated 01.06.2009. The petitioner would state that he was blessed with one son and one daughter and the petitioner and his family members are belonged to Hindu Pallan caste which falls under the Scheduled Caste community. The entire family has been continuously engaged in agricultural farming in the above 66 ares of landed properties. According to the petitioner, Patta No.1902 was assigned for the abovesaid extent of agricultural land and he had obtained patta and chitta copies through the official revenue website on 04.12.2013.

4.The learned counsel for the petitioner would further state that to his shock and surprise, the petitioner found that only 33 ares was mentioned in the patta copy. Thus, the petitioner submitted his detailed representation to the respondents on 02.08.2019 requesting to rectify the mistake. Based on the said representation, the 1st respondent sent a communication dated 16.08.2019 to the respondents 2 and 3 directing them to initiate action on the petitioner's representation dated 02.08.2019 within 8 weeks, but till date, the respondents 2 and 3 have not taken any action. Thereafter, the petitioner has sent another representation dated 16.02.2021 to the respondents 1 to 3, but no action was taken. Hence, this writ petition.

5.The learned Government Advocate would state that the respondents will consider and dispose of the petitioner's representations dated 02.08.2019 and 16.02.2021 respectively within a time frame to be fixed by this Court.

6.Heard the learned counsel for the petitioner as well as the learned Government Advocate for the respondents.

7.Perusal of record shows that though the 1st respondent as early as on 16.08.2019 has directed the respondents 2 and 3 to dispose of the petitioner's representation dated 02.08.2019 within eight weeks, it is the grievance of the petitioner that till date, the respondents 2 and 3 have not complied with the said direction issued by the 1st respondent. Even thereafter, a representation



dated 16.02.2021 was sent to the respondents 2 and 3 which was not responded. Therefore, without advertting to the merits of the case, the respondents 2 and 3 are directed to consider the representations of the petitioner dated 02.08.2019 and 16.02.2021 and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The 1st respondent shall ensure that the direction of this Court is complied with by the respondents 2 and 3 within the above stipulated time.

8.The Writ Petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

bala/tm

To

1)The District Collector,
District Collector Office,
Dindigul District.

2)The Revenue Divisional Officer,
Revenue Divisional Office,
Kodaikanal,
Dindigul District.

3)The Tahsildar,
Tahsildar Office,
Kodaikanal,
Dindigul District.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-24688[F] dated
30/07/2021)

+1 CC to M/s.SPL GP (SR-24726[F] dated 30/07/2021)

W.P(MD)No.12999 of 2021

DATED : 29.07.2021

RD(17.08.2021) 3P 6C