



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15381 of 2021

T.Rajamani

... Petitioner

Vs.

1.The District Collector,
Collectorate Complex,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.The Thasildar,
Taluk Office,
Virudhunagar,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3, particularly the 3rd respondent to consider the petitioner's representation dated 23.01.2017 and issue patta to the petitioner for the Natham Vacant land of Survey No.235/21 situated at Ramakkudumbanpatti, Kottanatham Panchayat, R.R.Nagar (Post), Virudhunagar Taluk, Virudhunagar District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.P.Subbaraj,
Counsel for Govt. of Tamilnadu

ORDER

The petitioner seeks a patta in response to his representation dated 23.01.2017 to the Thasildar.

2.The petitioner states that he is a coolie and a landless poor person. He states that he is in possession of the land bearing Survey No.235/21 at Ramakkudumbanpatti, Kottanatham Panchayat, R.R.Nagar Post, Virudhunagar Taluk, Virudhunagar District. He



further states that he has been in possession of the aforesaid land for about 40 years. By referring to the communications dated 16.09.2014, 03.12.2014 and 25.05.2015 of the Revenue Divisional Officer concerned to the Thasildar, the petitioner contends that no action was taken in spite of the aforesaid communications. In such facts and circumstances, the present Writ Petition is filed for the consideration of the representation dated 23.01.2017.

3.Mr. P.Subbaraj, learned Counsel for the State, accepts notice on behalf of the respondents. He submits that the petitioner may be directed to submit a fresh representation for consideration by the Thasildar.

4.The documents on record disclose that the petitioner has been making representations to the official respondents for a number of years. In response thereto, it appears that the Revenue Divisional Officer has called upon the Thasildar to take action on such representation. However, it appears that no action was taken thereon. As such, the petitioner has made out a case for the consideration of his representation. However, it should be noted that the last of such representations was issued by the petitioner on 23.01.2017. It is unclear as to whether such representation is even available in the files of the third respondent. In addition, the third respondent would have to examine as to whether the petitioner is in possession of the relevant property by examining any available documents in such regard.

5.Accordingly, without going into the merits of the matter, the petitioner is permitted to carry a fresh representation to the third respondent within a period of two weeks from the date of receipt of a copy of the order. Upon receipt thereof, the third respondent is directed to consider such representation and dispose of the same by a reasoned order within a period of three months from the date of receipt of the representation. Such reasoned order shall be issued after providing a reasonable opportunity to the petitioner.

6.W.P.(MD)No.15381 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TMG/ias



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The District Collector,
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Virudhunagar,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 3.The Thasildar,
Taluk Office,
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Virudhunagar District.

+1 CC to M/s.GP (SR-27755[F] dated 01/09/2021)

W.P (MD) No.15381 of 2021
31.08.2021

MGJ(07.09.2021) 3P 5C