



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.12.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.18826 of 2021

R.Thangasamy

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul,
Dindigul District.

2.The Block Development Officer,
Office of the Block Development Office.
Palani, Dindigul District.

3.The Tahsildar,
Office of the Palani Taluk Office
Palani, Dindigul 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 third respondent herein, to issue 2-C patta in favour of the petitioner in respect of the tamarind tree standing in the petitioner survey No.143, situated at Natham Village, Vilvathampatti, Dindigul District by considering the petitioner's representation, dated 29.09.2021, within the time stipulated by this Court.

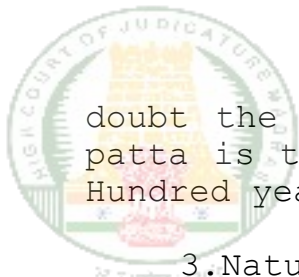
For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction against the third respondent/The Tahsildar, Palani Taluk office in Dindigul District to grant 2-C Patta with respect to the trees in S.No.143, Natham Village, Vilvathampatti in Dindigul District.

2.It is claimed by the petitioner that 2-C patta was originally granted to his grand father Ponna Gounder. I find no reason to



doubt the veracity of such statement. It is also stated that 2-C patta is to be granted for a tamarind tree, which is more than One Hundred years old.

3. Naturally, quite apart from the fact that the grandfather had that patta, the petitioner, as a grandson, would also have a sentimental value to be granted and recognized as the holder of the 2-C patta with respect to the said tamarind tree.

4. The condition of grant of 2-C patta would enable the petitioner only to pluck the tamarinds alone. He will have no right over the land and he will have no right over the fallen trees in the said S.No.143.

5. The petitioner had given a representation on 10.10.2020 and had also paid necessary charges. He had given a further representation on 29.09.2021.

6. A direction is given to the third respondent/Tahsildar, Palani Taluk Office in Dindigul, to consider the said application of the petitioner and examine the petitioner's statements with respect to grant of 2-C patta to his grand father and thereafter, proceed, if the records are otherwise in order, to grant 2-C patta in the name of the petitioner with respect to the S.No.143 in the Natham Village, Vilvathampatti in Dindigul District.

7. The entire exercise should be completed by the third respondent within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

lr

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 Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul,
Dindigul District.

2.The Block Development Officer,
Office of the Block Development Office.
Palani, Dindigul District.

3.The Tahsildar,
Office of the Palani Taluk Office
Palani, Dindigul District.

+1 CC to M/s.SPL GP (SR-39261[F] dated 17/12/2021)

W.P (MD) .No.18826 of 2021
15.12.2021

MGJ(30.12.2021) 3P 5C