



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.19553 of 2021

Dhanalakshmi

... Petitioner

Vs.

1.The District Collector,
Tenkasi District, Tenkasi.

2.The Revenue Divisional Officer,
Sankarankovil Division,
Tenkasi District.

3.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

4. The Block Development Officer,
Sankarankovil Block,
Tenkasi District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3, to issue 2-C patta in petitioner's favour in respect of the trees standing in the lands comprised in Survey No.301, to the extent of 0.16.43 acre in Panthapuli Village, Sankarankovil Taluk, Tenkasi District, in accordance with revenue standing order 18(2) (C).

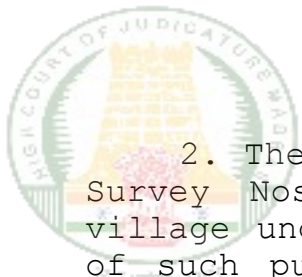
For Petitione : Mr.A.Mohan

For R1 to R-3 : Mr.P.Subbaraj, Counsel for the State.
for R1 to R3

Mr.M.Lingadurai for R4.

O R D E R

The petitioner seeks consideration of a representation dated 16.08.2021 seeking issuance of a 2-C patta in his favour in respect of the trees standing on the lands bearing Survey No.301 in Panthapuli Village, Sankarankovil Taluk, Tenkasi District.



2. The petitioner states that he purchased agricultural land in Survey Nos.254/1B, 254/2A2 and 254/2B2 in the above mentioned village under a registered sale deed dated 19.02.1996. At the time of such purchase, it is stated that his vendor cultivated cotton crops therein. Upon purchase of the said land, it is stated that the petitioner planted about 19 coconut trees on the said lands. Pursuant to an order dated 23.06.2021 in W.P(MD).No.10479 of 2021, it is stated that the Tahsildar, Sankaran Kovil Taluk conducted a survey of lands which were classified as a waterbody. On such basis a show cause notice was issued to the petitioner. The said show cause notice was replied to by a written explanation-cum-representation dated 16.08.2021 stating that he had not encroached upon any waterbody and is carrying on cultivation within the boundaries of his property. He also requested for a 2-C patta in respect of Survey No.301. The present writ petition is filed in these facts and circumstances.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3 and Mr. M.Lingadurai, learned Standing Counsel, accepts notice on behalf of the fourth respondent. Mr.Subbaraj submits that the third respondent may be directed to consider and dispose of the writ petitioner's representation.

4. The petitioner has enclosed a communication dated 02.09.2021 from the Revenue Divisional Officer to the Tahsildar by which the Tahsildar was called upon to conduct an inquiry and submit a report in respect of the petitioner's request for a 2-C patta.

5. In the aforesaid facts and circumstances, without entering any findings on the merits of the matter, the third respondent is directed to consider the petitioner's representation dated 16.08.2021 and dispose of the same by a reasoned order within a period of two months from the date of receipt of a copy of this order.

6. W.P(MD).No.19553 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

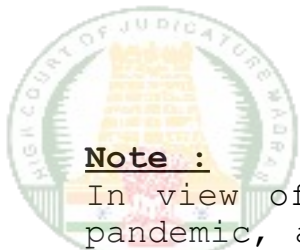
Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn



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,
Tenkasi District, Tenkasi.
- 2.The Revenue Divisional Officer,
Sankarankovil Division,
Tenkasi District.
- 3.The Tahsildar,
Sankarankovil Taluk, Tenkasi District.
4. The Block Development Officer,
Sankarankovil Block,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-33519[F] dated 02/11/2021)

W.P (MD) No.19553 of 2021
01.11.2021

SJ(CO)
TR/JGP(16.11.2021) 3P 6C