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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2886 of 2022

V.Elumalai

... Petitioner

Vs.

1.The District Collector,
Ranipet District,
At Ranipet.

2.The District Revenue Officer,
Ranipet District,
At Ranipet.

3.The Revenue Divisional Officer/Sub Collector,
Ranipet,
Ranipet District.

4.The Tahsildar,
Kalavai,
Ranipet District.

5. Thiru. Govindaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representations dated 05.01.2021 and 12.07.2021 and thereby direct the respondents 1 to 4 to issue the patta in the name of petitioner in respect of the properties in Survey No.96/1L, Kalavai Puthur Village, Kalavai Taluk, Ranipet District to an extent of 51 ½ cents based on the 4th respondent proceedings in O.Mu.A4/2035/2021 dated 28.07.2021 within a stipulated period of time.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.G.Nanmaran
Special Government Pleader



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to consider the petitioner's representations dated 05.01.2021 and 12.07.2021 and thereby direct the respondents 1 to 4 to issue the patta in the name of petitioner in respect of the properties in Survey No.96/1L, Kalavai Puthur Village, Kalavai Taluk, Ranipet District to an extent of 51 ½ cents based on the 4th respondent proceedings in O.Mu.A4/2035/2021 dated 28.07.2021 within a stipulated period of time.

2. The case of the petitioner is that originally the petitioner's father is the owner of the property. After the demise of the petitioner's father, the aforesaid property was orally partitioned by the petitioner and his brother. Thereafter, through the oral partition Survey No.96/1 totalling to an extent of 96 ½ cents was allotted in favour of the petitioner. In the year 2018, the petitioner got Computerised Patta of his property in his name. While so, in said computerised patta, Survey No.96/1 has been subdivided as Survey No.96/1K-45 cents and Survey No.96/1L-51 ½ cents. Survey No.96/1K-45 cents stands in the name of the petitioner and another Survey Number stands in the name of one Mr.Govindaraj Gounder-5th respondent. Thereafter, the petitioner has made several representations dated 21.06.2019, 06.11.2020 and 05.01.2021 to the Revenue Officials in person, on the same the petitioner has not received any response. Further, the petitioner gave representation before the 2nd respondent dated 12.07.2021 to cancel patta in the name of 5th respondent and issue patta in petitioner's name. That being so, the petitioner's representation was forwarded to the 3rd respondent to take necessary action, in turn the 3rd respondent forwarded the representation to the 4th respondent on 28.07.2021. As the said representation made by the petitioner has evoked no response, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the respondents 1 to 4 to consider the petitioner's representations dated 05.01.2021 and 12.07.2021 and thereby direct the respondents 1 to 4 to issue the patta in the name of petitioner in respect of the above said properties based on the 4th respondent proceedings dated 28.07.2021 and pass orders on the same within a particular time frame that may be fixed by this Court.



4. The learned Special Government Pleader for the respondents has no serious objections for the said order being passed.

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5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representation dated 05.01.2021 and 12.07.2021 in the light of the 4th respondent proceedings dated 28.07.2021 and pass appropriate 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 after providing opportunity of hearing to the aggrieved person, if any.

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

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

jd/nhs

To

1.The District Collector,
Ranipet District,
At Ranipet.

2.The District Revenue Officer,
Ranipet District,
At Ranipet.

3.The Revenue Divisional Officer/Sub Collector,
Ranipet,
Ranipet District.



4.The Tahsildar,
Kalavai,
Ranipet District.

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+1cc to M/s.B.Gopalakrishnan, Advocate Sr.10474
+1cc to the Government Pleader Sr.11561

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srg 18/01/2022