



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.25634 OF 2012

S.Palaniappan

... Petitioner

Vs

1. The Revenue Divisional Officer,
Chidambaram,
Cuddalore District.
2. The Tahsildar,
Office of the Tahsildar,
Chidambaram,
Cuddalore District.
3. Sivapuri Village Panchayat,
Rep. By its President,
Sivapuri,
Chidambaram Taluk,
Cuddalore District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to forthwith issue Patta to the petitioner for 10 cents of lands comprised in Survey No.97/13, situated at Sivapuri Village, Thiruvakkulam, Chidambaram Taluk, Cuddalore District, by considering and passing orders on the representations of the petitioner dated 23.02.2010 and 30.01.2012.

For Petitioner ... M/s.K.Selvaraj

For Respondents ... Mr.A.Anandan
Government Advocate



O R D E R

The present petition has been filed seeking a direction to the respondents to issue patta to the petitioner in respect of the subject lands pursuant to the petitioner's representations dated 23.02.2010 & 30.01.2012.

2. It is the case of the petitioner that his father is in possession and enjoyment of the Government wet lands measuring to extent of 30 cents comprised in Survey No.97/13, situated at Sivapuri Village since 2005, out of which, the petitioner was permitted to enjoy 10 cents of the said lands and the revenue records of the lands to an extent of 10 cents, stands in the petitioner's name. While being so, one of the petitioner's brother had filed an application before the 2nd respondent for grant of patta in respect of entire extent of 30 cents of the land. Aggrieved by the same, the petitioner made representations before the 1st respondent requesting not to issue patta in respect of entire extent of the said lands in favour of the petitioner's brother. Since, the same was not considered, the petitioner made a representation dated 15.07.2011 for issuance of patta in favour of the petitioner in respect of the land, before the 2nd respondent, which land the petitioner was permitted to enjoy, but, the same was not considered. Aggrieved by the same, the petitioner made a complaint with regard to the issue, before the 1st respondent, pursuant to which, the 1st respondent, vide proceedings dated 16.09.2011, had directed the 2nd respondent to pass necessary orders. However, till date, the same has not been considered. Hence, the present petition has been filed seeking the aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 2nd respondent to consider the petitioner's representation dated 15.07.2011 and dispose of the same on merits, pursuant to the order dated 16.09.2011 passed by the 1st respondent, within time stipulated by this Court.

4. Learned Government Advocate appearing for the respondents has no objection to the said order being passed.

5. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 2nd respondent to consider and dispose of the representation made by the petitioner in accordance with law, pursuant to the order dated 16.09.2011 passed by the 1st respondent, within a period of twelve weeks from the date of a receipt of a copy of this order.



WEB COPY

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Revenue Divisional Officer,
Chidambaram,
Cuddalore District.
2. The Tahsildar,
Office of the Tahsildar,
Chidambaram,
Cuddalore District.

+1cc to M/s.K.Selvaraj, Advocate, S.R.No.8769

+1cc to the Government Pleader, S.R.No.9245

W.P.No.25634 of 2012

AJS (CO)

RLP (24/03/2022)