



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.5484 of 2022

T. Hariharan

...Petitioner

Versus

1. The District Collector,
Collector Office,
Thirupathur District.

2. The Special Tahsildar
Adi Dravidar Welfare Office,
Thirupathur.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents 1 and 2 to dispose of petitioner's representation dated 16.02.2022 in accordance with law.

For Petitioner : Mr. J. Nandagopal

For Respondents : Mr.S. Silambanan, AAG,
Assisted by
Mr.M.Murali, Govt. Advocate

ORDER

The relief sought for in this writ petition is for a direction to the respondents to dispose of petitioner's representation dated 16.02.2022 for issuance of patta in his name.

2. The case of the petitioner is that originally the land in Survey No.184/1 to an extent of 1 acre 0.92 cents situated at Kathirampatti Village, Thirupathur Taluk was owned by one K.N.Natesan Nainar and his five sons. Thereafter, they partitioned the property among themselves through a Partition deed dated 09.03.1977 vide Document No.687 of 1977 on the file of SRO Thirupathur. Pursuant to the partition deed, a portion of the land to an extent of 0.08 cents in the said Survey No.184/1 was allotted to the petitioner's father. Subsequently, the Government has decided to acquire the aforesaid land for the welfare of Adi-dravidar and accordingly passed G.O., dated 21.12.1980, which was challenged by the



petitioner's uncle and others by filing writ petition before this Court in W.P. No.1793 of 1981. This Court by its order dated 25.09.1981 allowed the said Writ petition and quashed the acquisition proceedings. It is averred that though land acquisition proceedings were initiated, the petitioner's father and others continued to be in possession as per the said Partition deed. While so, after the demise of his father, his mother was in enjoyment of the said property. Thereafter, the petitioner inherited the property through a separate partition deed dated 15.03.2011 vide Document No.3042 of 2011. Thereafter, the petitioner made a representation dated 16.02.2022 before the respondents for issuance of patta in his favour. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

3.The learned counsel for the petitioner submits that subsequent to demise of petitioner's father, a portion of the subject land was inherited by the petitioner. Hence, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 16.02.2022 within the time frame that may be fixed by this Court.

4.Mr.S.Silambanan, learned Additional Advocate General, assisted by Mr.M.Murali, Government Advocate submits that as against the aforesaid order in W.P.No.1793 of 1981 passed by the Hon'ble Division Bench of this Court, the State preferred SLP before the Hon'ble Apex Court. However, learned Addl. Advocate General fairly submits that he has no objection for issuance of appropriate orders from this Court to the respondents in the above regard.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 16.02.2022 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

vsi2



To

1. The District Collector,
Collector Office,
Thirupathur District.

2. The Special Tahsildar
Adi Dravidar Welfare Office,
Thirupathur.

+1cc to Mr.J.Nandagopal, Advocate, S.R.No.29036

+1cc to the Government Pleader, S.R.No.30469

W.P. No.5484 of 2022

AJB(CO)
RGA(02/06/2022)