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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.8350 of 2022 and
W.M.P.Nos.8316 and 8319 of 2022

1. D.Annathurai
2. Latha
3. Venkatesh
4. Kumar
5. Mariammal
6. Malliga
7. Amutha

...Petitioners

vs.

- 1.The State of Tamil Nadu,
Represented by the Secretary to Government,
Revenue Department,
Secretariat,
Fort St. George,
Chennai - 9.

- 2.The District Collector,
Salem,
Salem District.

- 3.The Revenue Divisional Officer,
Salem,
Salem District.

- 4.The Tahsildar,
Salem - 636 122,
Salem District.

- 5.P.Vaiyapuri

- 6.V.Ayyanar

- 7.P.Ravi

- 8.Danasekar

...Respondents



Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent herein to carryout name transfer in the revenue records of the 3rd respondent pertaining to our agricultural DC land having an extent of about 1.31 acres (0.53.00 ares) or its thereabouts, comprised in survey no.63/1, situate in Valasaiur Village, Salem Taluk Salem and Salem district from the name of out grandfather late Vayyapuri into our names and issue joint patta within a time limit.

For Petitioners : Mr.S.Arunkumar

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a issuance of a writ of Mandamus to direct the 3rd respondent herein to carryout name transfer in the revenue records of the 3rd respondent pertaining to our agricultural DC land admeasuring 1.31 acres (0.53.00 ares) or its thereabouts, comprised in Survey No.63/1, situate in Valasaiur Village, Salem Taluk and Salem district from the name of petitioners' grandfather late Vayyapuri into their names and issue joint patta in favour of the petitioners within a time limit.

2. Since no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

3. The case of the petitioners is that the property in S.No.63/1 of an extent of 1.31 acres belongs to one Pallikudathan i.e., Grandfather of the petitioners. After his demise, his legal heirs were in possession of the said property. The said land was classified as Depressed class (DC) land viz Scheduled caste by the Government. While that being so, the 7th and 8th respondents claims to have illegally purchased the said land in collusion with the local registration officials. Whiles, the petitioners have made several representations to the respondents 1 to 4 and the last of which on 01.05.2021 seeking for name transfer in the revenue records from petitioners grandfather name i.e., Pallikudathan to the petitioners name pertaining to their agricultural DC land in S.No.63/1 and to issue joint patta in their favour. Since the same have not evoked any response, the petitioners have filed the present Writ Petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submits that it



would suffice if this Court issues direction to the 3rd respondent to consider the petitioners representation dated 01.05.2021 and pass orders on merits within a particular time frame to be fixed by this Court.

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5. The learned Additional Government Pleader for respondents has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 3rd respondent to consider the petitioners representation dated 01.05.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity to the petitioners as well as the private respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rap/nhs

To

1.The Secretary to Government,
The State of Tamil Nadu,
Revenue Department, Secretariat,
Fort St. George, Chennai - 9.

2.The District Collector,
Salem, Salem District.

3.The Revenue Divisional Officer,
Salem, Salem District.

4.The Tahsildar,
Salem - 636 122, Salem District.

+1cc to Mr.S.Arunkumar, Advocate SR. No. 24006

W.P.No.8350 of 2022

AKII (CO)
PR (27/04/2022)