



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.9365 of 2022

V.Subramani

...Petitioner

vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Tindivanam.
3. The Tahsildar,
Melmalaiyanur Taluk,
Melmalaiyanur.
4. Thiyagarajan
5. Natesan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent herein to consider and dispose of the petitioner's representation dated 12.10.2021 made to the respondents for issuance of patta in respect of promboke land bearing Survey No.225/4 to an extent of 0.03 cents out of 0.30 cents for constructing house for the petitioner's dwelling, situated at Annamangalam Village, Melmalaiyanur Taluk, Villupuram District in favour of the petitioner.

For Petitioner : Mr.M.Prabakar
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 first respondent herein to consider petitioner's representation dated 12.10.2021 for issuance of patta in his favour in respect of his land bearing Survey No.225/4 of an extent of 0.03 cents out of 0.30 cents situated at Annamangalam Village, Melmalaiyanur Taluk, Villupuram District and dispose of the same within a time frame to be fixed by this Court.

2. The case of the petitioner is that the petitioner is the owner of the lands in S.Nos.225/1, 225/2 and 223/5 situated at Annamangalam Village, Villupuram District and the land bearing S.No.225/4 of an extent of 30 cents being categorised as "poramboke land" adjacent to the above said lands is also in possession and enjoyment of the petitioner. Since there was hindrance by the respondents 4 and 5 in respect of the said Poramboke Land the petitioner filed a suit in O.S.No.132/2011 for bare injunction as against the respondents 4 and 5 and the same was decreed in favour of the petitioner. Whiles, the petitioner made a representation to the respondents 1 to 3 dated 12.10.2021 for issuance of patta of an extent of 0.03 cents out of 0.30 cents in favour of the petitioner. Since the same was not considered by the respondents 1 to 3, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the first respondent to consider the petitioner's representation dated 12.10.2021 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader for respondents 1 to 3 has no objection for said order being passed.

5. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the first respondent to consider the said representation of the petitioner dated 12.10.2021 and pass appropriate orders and dispose of the said representation, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the private respondents, within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the first respondent to decide the same at the time of disposing of the said representation purely on merits.



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

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Sd/-
Assistant Registrar(co)

Sub Assistant Registrar

rap
To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Tindivanam.
3. The Tahsildar,
Melmalaiyanur Taluk,
Melmalaiyanur.

W.P.No.9365 of 2022

skm(CO)
A.SK(05/05/2022)