



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9895 of 2022

V.Srinivasan

... Petitioner

Vs.

1. The District Revenue Officer,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Athur Division,
Athur, Salem District.
3. The Tahsildar,
(Gangavalli Taluk - old),
Present Thalaivasal Taluk,
Gangavalli,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the District Revenue Officer, first respondent herein to restore Patta, Chitta and Adangal in favour of the writ petitioner in respect of the land in Survey No.5/10, measuring an extent of 2.30 Acres, Vivekanandapuram, East Rajapalayam Post, (Gangavalli Taluk), presently Thalaivasal Taluk, Salem District.

For petitioner : Mr.A.V.Arun
Assisted by M.A.Aruneshe

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the District Revenue Officer/ first respondent herein to restore Patta, Chitta and Adangal in favour of the writ petitioner in respect of the land in Survey No.5/10, measuring an extent of



2.30 Acres, Vivekanandapuram, East Rajapalayam Post, (Gangavalli Taluk), presently Thalaivasal Taluk, Salem District.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the properties comprised in Survey Nos.5 and 27, measuring an extent of 2.30 Acres, situated at East Rajapalayam Village in Thalaivasal Taluk, (previous Gangavalli Taluk), Salem District. Initially, the Patta was cancelled by the revenue officials as against the petitioner. Challenging the said order passed by the Revenue Officials, the petitioner had filed a Writ Petition in W.P.Nos.18165 to 18177 of 2013 & W.P.No.1859 of 2017. This Court, by order dated 16.04.2018 allowed the writ petition and quashed the impugned order dated 25.04.2013. Hence, the petitioner had made a representation dated 16.07.2018 and reminder letter dated 04.04.2022 before the respondents to restore Patta in favour of the petitioner. 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.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that as against the order passed by this Court in above said writ petitions, the private respondent had made an appeal in W.A.No.2009 of 2021, and the same was also dismissed by the Hon'ble Division Bench of this Court on 15.11.2021. Hence, there is no legal impediment to consider the petitioner's representation.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 16.07.2018 & 04.04.2022 will be considered by the respondents within the time frame that may be fixed by this Court.

6. 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 16.07.2018 and 04.04.2022, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of



this order, after affording an opportunity to the aggrieved persons.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
Salem District, Salem.
2. The Revenue Divisional Officer,
Athur Division,
Athur, Salem District.
3. The Tahsildar,
(Gangavalli Taluk - old),
Present Thalaivasal Taluk,
Gangavalli, Salem District.

+1cc to Mr.A.V.Arun, Advocate, S.R.No.27753
+1cc to the Government Pleader, S.R.No.28645

W.P.No.9895 of 2022

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NSK 10/05/2022