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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11296 OF 2022

Samanna

...Petitioner

Vs.

- 1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
- 2.The Tahsildar,
Shoolagiri Taluk,
Shoolagiri, Krishnagiri District.
- 3.T.Vijayakumar

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents herein to consider and dispose of petitioner's representation dated 10.03.2022 within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.C.Munusamy

For Respondents
R1 & R2 : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the first and second respondents to consider the petitioner's representation dated 10.03.2022 and dispose of the same.

2. Learned Special Government Pleader takes notice on behalf of the 1st and 2nd respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. Since no adverse order has been passed against the 3rd respondent, notice to the private respondent is dispensed with.



4. The case of the petitioner is that, he claims to be the owner of the agricultural land measuring an extent of 1.23 Acres comprised in Survey No.582, situated at Halekotta Village, Shoolagiri Taluk, Krishnagiri District and the same was purchased by him from one Thimmaiya, vide registered Sale deed dated 18.02.1983 in Document No.129/1983 and he is in absolute possession and enjoyment of the said land. While so, the petitioner made an application dated 07.06.2018 before the 2nd respondent for sub-division and transfer of patta, however, no steps have been initiated by the 2nd respondent. On verification, the petitioner came to know that the authorities concerned have issued patta in respect of the petitioner's land in the name of the 3rd respondent. Immediately thereafter, the petitioner approached the 1st respondent, requesting for cancellation of wrong patta issued in the name of the 3rd respondent and subsequently, the 1st respondent directed the 2nd respondent to conduct enquiry and file report. Despite the directions issued by the 1st respondent on several occasions, no enquiry has been conducted and no report has been submitted by the 2nd respondent. Aggrieved by the inaction of the 2nd respondent, the petitioner made another representation dated 10.03.2022 before the 1st respondent, however, till date, no orders have been passed on the same. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st and 2nd respondents to consider the petitioner's representation dated 10.03.2022 and a consequential direction to cancel the wrong patta issued in favour of the 3rd respondent and issue patta in favour of the petitioner as expeditiously as possible.

6. Learned Special Government Pleader appearing on behalf of the 1st and 2nd respondents has no serious objection for the said order being passed and he fairly submitted that the petitioner's representation dated 10.03.2022 will be considered and appropriate orders will be passed in accordance with law within the time frame that may be stipulated by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs, the 2nd respondent to consider the petitioner's representation dated 10.03.2022 in the light of the letter of the 1st respondent and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner as well as the 3rd respondent.



8. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

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// True Copy //

Sub Assistant Registrar

skt

To

1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2.The Tahsildar,
Shoolagiri Taluk,
Shoolagiri, Krishnagiri District.

+1cc to the Government Pleader Sr.No.33034

W.P.No.11296 of 2022

RSV(CO)
RVM(17/06/2022)