

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.15480 of 2022

K.Perumal

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Tiruvannamalai Division,
Tiruvannamalai.
2. The Tahsildar,
Chengam Taluk,
Tiruvannamalai.
3. The Revenue Circle Inspector,
Chengam Taluk,
Tiruvannamalai.
4. The Village Administrative Officer,
Veerananthai Village,
Chengam Taluk,
Tiruvannamalai District.

5. Radhammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents No.2 to 4 to mutate the revenue records pursuant to an order passed by the first respondent vide Lt.No.A4/8871/2018 dated 08.01.2019 and grant computerized patta after considering the requisition and relevant documents placed by the petitioner within a time frame limit.

For Petitioner : M/S.P.G.Thiyagu

For Respondents : Mr.R.Vigneswaran
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents No.2 to 4 to mutate the revenue records pursuant to an order passed by the first respondent vide Lt.No.A4/8871/2018 dated 08.01.2019 and

grant computerized patta after considering the requisition and relevant documents placed by the petitioner within a time frame limit.

2. The case of the petitioner is that the land comprised in S.No.610/11, was originally allotted to petitioner's grandfather, vide D.K.No.208/85, dated 08.04.1985 issued by the Tahsildar, Chengam Taluk, Thiruvannamalai District. When the petitioner's grandfather went outstation for livelihood, their land was earmarked as Government punjai Anatheenam and one Radhammal, obtained Patta in her favour in respect of the aforesaid land. After noticing the same, the petitioner preferred a Writ Petition in W.P.No.1670 of 2016 and this Court, by order dated 20.01.2016, disposed of the said Writ Petition, by directing the respondents to consider the petitioner's representation within a period of eight weeks. Pursuant to that direction, the first respondent conducted an enquiry and found that the Patta given in the name of petitioner's grandfather was proper, the first respondent cancelled the assignment as against the fifth respondent by order dated 08.01.2019. Since the same was not reflected in the revenue records, the petitioner has filed the present Writ Petition.

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

4. Though very many grounds have been raised in this Writ Petition, the learned counsel for the petitioner submitted that it would suffice, if this Court, issues direction to the respondents 2 to 4 to implement the order dated 08.01.2019 and mutate the Revenue Records in favour of the petitioner and pass orders on the same within a particular time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents submitted that if there is no legal impediment, the order will be implemented in the manner known to law.

6. Admittedly, the assignment was canceled, and the fifth respondent has not prefer any appeal before the Appellate Authority. In such circumstances, the Revenue Officials are directed to implement the order dated 08.01.2019 within a period of eight weeks from the date of receipt of a copy of this order,

after affording an opportunity of hearing to the petitioner and the fifth respondent, if there is no other legal impediment.

7. With the above observations and directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Revenue Divisional Officer,
Tiruvannamalai Division,
Tiruvannamalai.
2. The Tahsildar,
Chengam Taluk,
Tiruvannamalai.
3. The Revenue Circle Inspector,
Chengam Taluk,
Tiruvannamalai.
4. The Village Administrative Officer,
Veerananthai Village,
Chengam Taluk,
Tiruvannamalai District.

+1cc to Mr.P.G.Thiyagu, Advocate, S.R.No.37941

+1cc to the Government Pleader, S.R.No.38977

W.P. No.15480 of 2022

SMI(CO)
UMA(15/07/2022)