



WEB COPY



W.P.No.23948 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23948 of 2022

1. R. Manjulabai
2. Thilagam
3. Violet Biyula
4. Jayaseelan
5. Gunaseelan

... Petitioners

Vs.

1. The District Collector
Salem District,
Salem.
2. The Tahsildar,
Yercaud Taluk,
Salem District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents to issue patta in favour of the petitioners towards land comprising in survey No.7 measuring 12 acres situated at Puliyur Village, Yercaud Taluk, Salem district based on the petitioners representation dated 11.07.2022.

For Petitioners : Mr.S.Vinodha

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader



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ORDER

This writ petition has been filed for a direction to the respondents to issue patta in favour of the petitioners towards land comprising in survey No.7 measuring 12 acres situated at Puliur Village, Yercaud Taluk, Salem district based on the petitioner's representation dated 11.07.2022

2. The case of the petitioners are that the land comprising in Survey No.7 measuring 12 acres situated at Puliur Village, Yercaud Taluk, Salem district is under their occupation hereditary and have been remitting the requisite tax to the Government for the past 100 years by their grandfather, father and petitioners in which the land is classified as tax remitted tharisu and same also meant for their survival. The said land was given by the British regime to their grandfather and thereafter it is under the possession and cultivation of their father. It is further averred that the Government Officials entered into their land and put up the boundary stones without giving any prior notice. The petitioners have already sent a representation to the respondents to issue patta to the above said land. During the pendency of our representation with respect to the issuance of patta,



the Government officials entered into their land stating that the above mentioned land required for Government. That apart 40 acres of Government porambokku land is also available adjacent to their land which can be utilised for any Government purpose. It is further averred that in this regard they have sent a notice to the respondents on 09.07.2022 explaining the status of the land, but there is no reply to their notice. That part they have given a representation on 11.07.2022 to the District Collector in person narrating their dependency to the above mentioned land and also requesting to issue patta. As the said representation made by the petitioners evoked no response from the respondents, the petitioners have filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioners submits that, it would suffice, if this Court issues direction to the second respondent to consider the petitioners representation dated 11.07.2022 and pass orders on the same, within a particular time frame that may be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents has no objection for said order being passed.



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5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioners representation dated 11.07.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioners and other aggrieved person, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

22.09.2022

Index:Yes/No
Internet:Yes/No
vm

To

1. The District Collector
Salem District,
Salem.

2. The Tahsildar,



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Yercaud Taluk,
Salem District.

M.DHANDAPANI,J.

vm

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