



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.28192 of 2021

K.R.Ganesan

.... Petitioner

Vs

1. The District Collector,
Salem District - 636 001.

2. The District Revenue Officer,
Office of the Collectorate,
Salem - 636 001.

3. The Revenue Divisional Officer,
Sankari Division,
Salem District.

4. The Tahsildar,
Sankari Taluk,
Salem District.

.... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent herein to issue patta in the name of the petitioner pertaining to his land comprised in S.No.544/8 to an extent of 32 cents situated at Morur Bit 2 Village, Sankari Taluk, Salem District on the basis of recommendation dated 03.09.2019 made by the third respondent to the second respondent by considering the petitioner's representation dated 02.07.2020 sent to the second respondent.

For Petitioner : Mr.D.Vairamoorthy

For Respondents: Mr.S. Rajesh

Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the second respondent herein to issue patta in the name of the petitioner pertaining to his land comprised in S.No.544/8 to an extent of 32 cents situated at Morur Bit 2 Village, Sankari Taluk, Salem District on the basis of recommendation dated 03.09.2019 made by the third respondent to the second respondent by considering the petitioner's representation dated 02.07.2020 sent to the second respondent.



2. Heard, Mr.D.Vairamoorthy learned counsel appearing for the petitioner and Mr.S.Rajesh, learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that the petitioner's father owned agricultural land in survey Nos.543/1, 543/2, 544/10, 544/4, 544/6, 544/7, 544/8, 544/9, 547/4, 547/5, 547/6, 547/7, 547/8 and 547/10B in all measuring a total extent of 7.51.5 hectares under Patta No.218 situated at Morur Bit 2 Village, Sankari Taluk, Salem District. His name also found in "A" Register in respect of the land comprised in survey No.544/8. He was also issued Adangal extract. Thereafter, his father settled the subject property in favour of the petitioner by a settlement deed dated 15.07.2015 registered vide document No.2492 of 2015.

4. When the petitioner approached the fourth respondent for change of patta in pursuant to the settlement deed dated 15.07.2015, he was informed that the property comprised in survey No.544/8 was left out to be included in the earlier patta standing in the name of his father as classified as mentioned as "Government Land". Therefore, the petitioner made a representation before the fourth respondent for inclusion of the said property in the patta. On his representation, the fourth respondent conducted enquiry and submit his report dated 09.02.2016 to the third respondent along with statements and revenue records. On receipt of the same, the third respondent, by its communication dated 03.09.2019, recommended for issuance of patta in favour of the petitioner's father in respect of the land comprised in survey No.544/8. However, on receipt of the same, the second respondent did not pass any order.

5. Considering the above, the second respondent is directed to pass order to change the patta on the basis of the report submitted by the third and fourth respondents herein within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Lpp



To

1. The District Collector,
Salem District - 636 001.

2. The District Revenue Officer,
Office of the Collectorate,
Salem - 636 001.

3. The Revenue Divisional Officer,
Sankari Division,
Salem District.

4. The Tahsildar,
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Salem District.

+1 cc to Mr.S.Senthil, Advocate Sr.NO. 781
+1 cc to Government Pleader Sr.NO. 1061

W.P.No.28192 of 2021

ksm(CO)
A.SK(10.02.2022)