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W.P.No.28113 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.28113 of 2022

Kasinathan

. . . Petitioner

Vs.

1. The District Collector,  
Collector's Office,  
Cuddalore District.

2. The Revenue Divisional Officer,  
The Revenue Divisional Office,  
Vridhachalam Taluk,  
Cuddalore District.

3. The Tahsildar,  
Tahsildar Office,  
Vridachalam  
Cuddalore District.

. . . Respondents

**PRAYER:**Writ Petition filed under Article 226 of the Constitution of India, to issue an order, direction or writs especially in the nature of writ of Mandamus directing the 3<sup>rd</sup> respondent to consider the petitioner representation dated 15.03.2022 as per the direction of 2<sup>nd</sup> respondent proceedings in O.Mu.A3/1004/2022 dated 07.04.2022 to issue patta to the land in Survey No.155 in lock No.19 Ward-A in Pudhukkuppam Village of



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Vridhachalam Taluk, Cuddalore District to an extent of 2.39 acre, within the time frame fixed by this Court.

For Petitioner : M/s.S.P.Harikrishnan

For Respondents : Mr.T.K.Saravanan,  
Government Advocate

**ORDER**

The present petition has been filed seeking a direction to the 3<sup>rd</sup> respondent to consider the petitioner representation dated 15.03.2022 as directed by the 2<sup>nd</sup> respondent vide proceedings dated 07.04.2022 to issue patta in favour of the petitioner in respect of the land comprised in Survey No.155 in lock No.19 Ward-A to an extent of 2.39 acre situated at Pudhukkuppam Village of Vridhachalam Taluk, Cuddalore District, within the time that may be stipulated by this Court.

2. It is the case of the petitioner that he is in absolute possession of the subject land, for more than 35 years, in which, various crops are being cultivated by the petitioner, however, all the revenue records pertaining to the aforesaid property stands in the name of the petitioner. Since, the said property was taken possession by the Municipal Authorities without



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following due process of law, the petitioner filed a Writ Petition before this Court in W.P.No.8579 of 2022 and the same was allowed, in which, the petitioner was permitted to cultivate the said land after obtaining Permission from the Government. In order to obtain patta under the land less people scheme, the petitioner made a representation dated 15.03.2022 before the respondents, seeking to issue patta in respect of the above said property, pursuant to which, the 2<sup>nd</sup> respondent had directed the 3<sup>rd</sup> respondent to conduct appropriate enquiry vide his proceedings dated 07.04.2022. However, till date, the said order of the 2<sup>nd</sup> respondent has not been complied with. Hence, the present petition has been filed.

3. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 3<sup>rd</sup> respondent/tahsildar to consider the representation dated 15.03.2022 made by the petitioner seeking issuance of patta and pass appropriate orders on the same, within the time that may be stipulated by this Court.



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

5. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 3<sup>rd</sup> respondent/Tahsildar to conduct the enquiry as per the direction of the 2<sup>nd</sup> respondent/Revenue Divisional Officer, based on the petitioner's representation dated 15.03.2022, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any and pass appropriate orders in accordance with law, within a period of Six weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

**25.11.2022**

NHS

Index : Yes / No

Internet : Yes / No



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**M.DHANDAPANI, J.**

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