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W.P.No.28181 of 2021

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.11.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.No.28181 of 2022**

V.Palanivelu

... Petitioner

Vs.

1.The District Collector,  
Office of the District Collector,  
Coimbatore – 641 018.

2.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Coimbatore North.

3.The Tahsildar,  
Coimbatore North, Coimbatore.

... Respondents

**Prayer:**Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue patta to the petitioner for the property of the petitioner situated in T.S.L.R.No.1362 to an extent of 1.73 Acres, Ward No.1, Block No.30, Annupparapalayam, Coimbatore North by considering the petition dated 20.09.2020 by the petitioner within stipulated period of time granted by this Honourable Court.

For Petitioner : Mr.N.Baaskaran



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For Respondents : Mr.U.Bharanidharan  
Special Government Pleader

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### **O R D E R**

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to issue patta to the petitioner for the property of the petitioner situated in T.S.L.R.No.1362 to an extent of 1.73 Acres, Ward No.1, Block No.30, Annupparapalayam, Coimbatore North by considering the petition dated 20.09.2020 within stipulated period of time granted by this Honourable Court.

2. The case of the petitioner is that the larger extent of 3044 Acres of land in Old S.F.No.202, Old Town Survey No.616, New Town Survey No.1362 originally known as Puliyakulam Village, thereafter called as Anupparpalayam Village was owned by the petitioner's adoptive father namely S.Narayanasamy Naidu by way of inheritance. All Revenue Records were also mutated in favour of the petitioner's father. While so, the said Narayanasamy Naidu, out of love and affection executed a Will dated 04.05.2009 in favour of the petitioner. After the demise of the Narayanasamy, the petitioner became the absolute owner of the property. Since, there was



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some interference by the second class legal heirs of the said Narayanasamy, the petitioner filed a suit in O.S.No.558 of 2014 before the Ist Additional District Munsif Court at Coimbatore seeking declaration, permanent injunction and other consequential reliefs and the same was decreed in favour of the petitioner dated 18.03.2014. Therefore, the petitioner's absolute title, right and interest over the said property is confirmed. Due to some domestic problems, the petitioner was not in a position to succeed and get the transfer of patta in favour of the petitioner. Recently, when the petitioner visited his property along with the local surveyor, he was orally informed that some portion of the property was acquired by the local Government bodies. The petitioner further submits that till date there was no acquisition proceedings by the Government and hence, the title of the property still exists in the name of the petitioner. Thereafter, the petitioner made a representation to all the respondents on 20.09.2022, but, till date the same not considered and hence, the petitioner has filed this Writ Petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the



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respondents to consider the petitioner's representation dated 20.09.2022 and pass orders on the same within a particular time frame fixed by this Court.

5.Mr.U.Bharanidharan, the learned Additional Government Pleader for the respondents submits that if any direction is given by this Court, the same will be complied with.

6.This Court vide its order dated 20.10.2022 directed the respondents to consider the petitioner's representation dated 20.09.2020 and pass appropriate orders on the same. However, the same was not complied with. Therefore, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation dated 20.09.2022 on merits and in accordance with law and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

**30.11.2022**

gba



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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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**M.DHANDAPANI,J.**  
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