



W.P.No.30277 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

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

W.P.No.30277 of 2022

Mariappa

. . . Petitioner

Vs.

1. The District Collector,
Krishnagiri District.

2. The Tahsildar,
Krishnagiri

. . . Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ, Order of direction in the nature of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 07.09.2022 and issue patta in favour of the petitioner.

For Petitioner : M/s.Sarvabhauvan Associates

For Respondents : Mr.U.Baranidharan,
Additional Government Pleader

ORDER

The present petition has been filed seeking a direction to the respondents to issue patta in favour of the petitioner based on the petitioner's representation dated 07.09.2022 seeking issuance of patta.



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2. It is the case of the petitioner that the predecessors of the petitioner were in possession of the subject property. After their demise, their legal heirs including the petitioner, are in possession and enjoyment of the said property. Based on their representation seeking for Royatwari patta, an order dated 10.10.1981 came to be passed by the Settlement Officer of Tamil Nadu Survey and Settlement Department, directing the revenue officials to grant patta in favour of the occupants of the lands, however, as per the said order, patta was not issued. Therefore, the petitioner along with the other occupants of the said property made a representation to the 2nd respondent seeking issuance of patta, however, the same was not considered, which prompted the petitioner to file a Writ Petition in W.P.No.8228 of 2011, in which, this Court vide order dated 01.04.2011, the 2nd respondent was directed to consider the said representation. Though several representations were made with regard to the aforesaid order, there was no response from the 2nd respondent. Later, the petitioner came to the know that the above said property was handed over by the 2nd respondent to the Commissioner, Hosur Municipality for setting up of sewage and pumping without issuing any notice to the occupants of the said property. While being



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so, the petitioner made a representation dated 07.09.2022 to the 2nd seeking issuance of patta in respect of the said property. However, till date, the said representation has not been considered by the respondents. 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 respondent/Tahsildar to consider the representation dated 07.09.2022 made by the petitioner seeking for issuance of patta and pass appropriate orders on the same, within the time that may be stipulated by this Court.

4. Learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 07.09.2022 seeking issuance of patta will be considered and appropriate orders will be passed on the same, within a period of two weeks.

5. In view of the submission made by the learned Additional



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Government Pleader, this Court without going into the merits of the case, directs the 2nd respondent/Tahsildar to consider the representation dated 07.09.2022 made by the petitioner seeking issuance of patta and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any, within a period of two weeks from the date of receipt of a copy of this order. Subject to the outcome of the order, liberty is granted to the petitioner to work out his remedy in the manner known to law.

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

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Index : Yes / No

Internet : Yes / No

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M.DHANDAPANI, J.



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