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W.P.No.30335 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30335 of 2022

C.Eswaramoorthy

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Tiruppur District.

2. The Sub-Collector,
Dharapuram,
Tiruppur District.

3. The Revenue Divisional Officer,
Revenue Divisional Office,
Dharapuram, Tiruppur District.

4. The Tahsildar,
Dharapuram Tahsildar Office,
Dharapuram, Tiruppur District.

5. The Zonal Deputy Tahsildar-II,
Dharapuram Tahsildar Office,
Dharapuram, Tiruppur District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a



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Writ of Mandamus, directing the 4th respondent to dispose the petitioner representation on 30.09.2022.

For Petitioner : Mr.M.Murugesan

For Respondents : Mr.U.Bharanidharan
Additional Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the 4th respondent to dispose the petitioner representation on 30.09.2022.

2.The case of the petitioner is that the property was originally owned by his father, who borrowed a loan from the Government of Tamil Nadu for construction of well. Since,the petitioner's father was unable to pay the said loan amount the same was taken into auction. While so, the Dharapuram Revenue Officer vide his proceedings in Ne.Mu.3533/1988 dated 20.12.1988 ordered to give the property to the land owner. Thereafter, the said land has been handed to the owner as the debt has been waived off. After the demise of petitioner's father, the petitioner verified the computer Chitta, he came to know that the said land is classified as Ryotwari Punchai from Punchai



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Darisu. The 2nd respondent, vide his order dated 09.01.2020 issued a direction to the 5th respondent to mutate the revenue records in favour of the petitioner. Thereafter, the petitioner approached the 4th respondent and gave a representation to reclassify the land and issue patta in favour of the petitioner. Thereafter, the 3rd respondent vide his proceedings in Na.Ka.No.3180 of 20021 dated 30.11.2021 and the letter issued by the 4th respondent to the 3rd respondent in Na.Ka.No.3427/2021/A1, dated 01.03.2022, the land was inspected and altered the said R.S.R. and sent the same to the 3rd respondent. While so, the Land Revenue Inspector, Sankrandampalaym, enquired in to the issue and submitted a report in the year 2022 stating that Punchai Darisu converted into Ryotwari Punchai and the same was recommended by the Village Administrative Officer, Kolamanguli. Thereafter, the petitioner made a representation dated 30.09.2022 to all the respondents and the same was not considered, hence, the petitioner has filed this present Writ Petition.

3.The learned counsel for the petitioner would submit that the petitioner and one Mohana Sundari made an application before the 2nd respondent for issuance of patta. The 2nd respondent vide his order dated



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09.01.2020 issued a direction to the 5th respondent to mutate the revenue records in favour of the petitioner. However, till date the said order was not implemented. The learned counsel for the petitioner further submits that it would suffice if this Court issues direction to the 5th respondent to implement the order of the 2nd respondent within a particular time frame fixed by this Court.

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

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 5th respondent to pass appropriate order based on the direction, dated 09.01.2020, issued by the 2nd respondent, on merits and in accordance with law and pass appropriate orders and if there is no any legal impediment, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. This Writ Petition is accordingly is disposed of. No costs.

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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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