



WP(MD)N.26726 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26726 of 2022

C.Chitrakumar

... Petitioner

Vs

1.The District Collector,
O/o., The District Collector,
Tiruchirappalli.

2.The District Revenue Officer,
Tiruchirappalli,
Tiruchirappalli District.

3.The Revenue Divisional Officer,
O/o., The Revenue Divisional Officer,
Musiri, Tiruchirappalli District.

4.The Tahsildar,
O/o., The Tahsildar,
Thuraiyur, Tiruchirappalli District.

5.Chithamani

6.Jeyamani

7.Rajalakshmi

8.Pushpam

9.Sathiya

10.Elangrish

11.Arunthathi

12.Uma

13.Kavitha

14.Sujatha

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to assign and issue patta in respect of the agricultural land in Survey No.128/1 to the extent of 2.76 acres, situated in Okkarai Village, Thuraiyur Taluk, Tiruchirappalli District by considering the representation of the petitioner dated 30.03.2019 in the light of the proceedings issued by the first respondent vide ஓ.மு.ஆ2/8598/2019 dated 06.05.2019.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondents : Mr.A.Kannan (for R1 to R4)
Additional Government Pleader

ORDER

This petition has been filed seeking for issuance of a Writ of Mandamus to direct the official respondents to assign and issue patta in respect of the agricultural land in Survey No.128/1 to an extent of 2.76 acres, situated in Okkarai Village, Thuraiyur Taluk, Tiruchirappalli District by considering the representation of the petitioner dated 30.03.2019 in the light of the proceedings issued by the first respondent vide ஓ.மு.ஆ2/8598/2019 dated 06.05.2019.

2.Heard Mr.D.Shanmugaraja Sethupathi, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 to 4. Since no adverse order is going to be passed against the respondents 5 to 14, notice to them is dispensed with.



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3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that the petitioner's father namely Chinnasamy Reddiyar was the original owner of the property in Survey No. 128/1 measuring to an extent of 5.32 acres situated at Okkarai Village, Thuraiyur Taluk, Tiruchirappalli District and patta has also been issued in his favour. He has been in possession and enjoyment of the said property. The Government had taken over the said property by invoking the provision of the Act 24 of 1948. Thereafter, the portion of the subject property was assigned to Thanakodiammal and the same was subsequently cancelled. Challenging the same one Ponnusamy has filed an appeal before the District Revenue Officer, the second respondent herein and the petitioner was issued notice in this regard. One Manickam Asari has also sought to issue assignment patta in respect of portion of the property. Now, the petitioner seeks for issuance of patta in his name in respect of remaining portion to the extent of 2.76 acres. Hence, he has made a representation dated 30.03.2019 to the respondents. Subsequent to this, the District Collector, Tiruchirappalli, has sent a communication dated 06.05.2019 in ஓ.மு.ஆ.2/8598/2019 to the Tahsildar, Thuraiyur Taluk, to take



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steps in this regard and report the same. But, till date no action has been taken.

Hence, the petitioner is before this Court with the aforesaid prayer.

5.The learned Additional Government Pleader appearing for the official respondents the representation of the petitioner would be considered and appropriate order would be passed within a stipulated time.

6.Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the fourth respondent to take action on the communication sent by the District Collector, Tiruchirappalli, the first respondent herein in ஓ.மு.ஆ2/8598/2019, dated 06.05.2019 and pass appropriate order on its own merits and in accordance with law, after giving due opportunity of hearing to the petitioner, the respondents 5 to 14 and any other persons, who may be interested in the subject matter, within a period of sixteen (16) weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No

Internet: Yes/No

Rmk



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