



W.P.No.4288 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

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.. Petitioner

VS

1. The District Collector
Salem District, Salem.

2. The Revenue Divisional Officer
Divisional Office, Attur Town
Salem District.

3. The District Forest Officer
District Forest Officer
Yercaud Road, Salem
Salem District.

4. The Tahsildar
Tahsildar Office, Gengavalli Taluk
Salem District.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 06.01.2023 on the file of the respondents herein in accordance with law by issue patta to the petitioner's land to secure the ends of justice.

For Petitioner : Mr.R.Srinivasa Rao

For Respondents : Mrs.Senthil Selvi
Government Advocate



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ORDER

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The prayer sought for herein is for a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 06.01.2023 on the file of the respondents herein, in accordance with law, by issuing patta to the petitioner's land to secure the ends of justice.

2. It is the claim of the petitioner that, the two acres of land in Survey No.314/155 at Chentharapatti Village, Gengavalli Taluk, Salem District has been in possession and enjoyment of the petitioner and the petitioner have been doing agricultural activities for several decades and it has been clarified as Kanrukutti Karadu poromboke land. Therefore, seeking patta for the said land, the petitioner has given a representation on 06.01.2023 to the respondents, including the first respondent / District Collector. Therefore, to consider the said representation and to pass orders, the present writ petition has been moved.

3. Heard Mr.R.Srinivasa Rao, learned counsel appearing for the petitioner and Mrs.Senthil Selvi, learned Government Advocate appearing for the respondents.



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4. Mrs.Senthil Selvi, learned Government Advocate would submit that, it is admittedly a Government Poromboke land, therefore, as a matter of right, the petitioner cannot seek for patta. Any how, since the petitioner claims that for several decades, the petitioner and his forefathers have been in possession and enjoyment of the land and having been doing agricultural activities, the said fact would be verified by the authorities and based on which, the application dated 06.01.2023, submitted by the petitioner, would be considered, on merits and otherwise if it is in order, within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Government Advocate, this Court directs the first and second respondents to consider the representation dated 06.01.2023, filed by the petitioner, and pass orders thereon, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands disposed of. There will be no order as to costs.

Index: Yes/No
Neutral Citation :Yes/No
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R. SURESH KUMAR, J.

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