



WEB COPY



W.P.No.4850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.4850 of 2023
and W.M.P.No.4883 of 2023

A.Vijayabanu

.... Petitioner

-Vs-

1.The District Collector
District Collectorate Office
Vengikkal, Thiruvannamalai-606 604.

2.The District Revenue Officer
District Revenue Office
Vengikkal, Thiruvannamalai-606 604.

3.The Revenue Divisional Officer
Annasalai, Thiruvannamalai-606 601.

4.The Tahsildar
Mathalangulam
Thiruvannamalai-606 601.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and 4th respondents to issue patta to the petitioner in respect of land admeasuring 2.16 acres comprised in S.No.25/2A2, Athiyandal Village, Thiruvannamalai Taluk, Thiruvannamalai District in accordance with the 4th respondent's recommendations in Na.Ka.G.1/32123/2013 dated 30.05.2022 within a time frame to be fixed by this Hon'ble Court.



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For Petitioner : Mr.Richardson Wilson
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 1st and 4th respondents to issue patta to the petitioner in respect of land admeasuring 2.16 acres comprised in S.No.25/2A2, Athiyandal Village, Thiruvannamalai Taluk, Thiruvannamalai District in accordance with the 4th respondent's recommendations in Na.Ka.G.1/32123/2013 dated 30.05.2022 within a time frame to be fixed by this Court.

2. In respect of the property situated at S.No.25/2A2, Athiyandal Village, Thiruvannamalai Taluk, Thiruvannamalai District, it is the claim of the petitioner that, it is the petitioner's land and when a dispute arose the petitioner was driven to go before the civil court and file a suit in O.S.No.195 of 2013 on the file of the Principal District Munsif Court, Tiruvannamalai seeking declaratory relief, where the State Government represented by the District Collector as well as the Tahsildar, Tiruvannamalai were the defendants.

3. The said suit was decreed by the judgment and decree dated



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08.10.2015, pursuant to which since the respondent Tahsildar has not issued patta in favour of the petitioner, the petitioner moved a writ petition in W.P.No.1756 of 2022, where also a direction was given by this Court by order dated 09.02.2022 to the 4th respondent Tahsildar. However, the 4th respondent Tahsildar seems to have sought for a clarification from the 1st respondent / District Collector vide his proceedings dated 30.05.2022, where the matter stuck. Therefore, for the past nearly ten months, nothing had moved and the petitioner has not been given patta and hence he has moved the present writ petition.

4. Reiterating the aforesaid, Mr.Richardson Wilson learned counsel for the petitioner seeks the indulgence of this Court.

5. Heard Mr.Yogesh Kannadasan learned Special Government Pleader appearing for the respondents, who would submit that, in view of the civil court decree and the direction already given by this Court in the earlier round of litigation, the plea of the petitioner would be considered by the 4th respondent and accordingly necessary orders granting patta would be passed by the 4th respondent within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by the learned Special



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Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the 4th respondent to consider the request of the petitioner dated 27.01.2023 in the light of the civil court decree passed in this regard as well as the earlier direction given by this Court in W.P.No. 1756 of 2022 dated 09.02.2022 and pass necessary orders granting patta within a period of six weeks from the date of receipt of a copy of this order.”

7. With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

20.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST



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To

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R. SURESH KUMAR, J.

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