



W.P.No.5260 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.5260 of 2023

Sivan

... Petitioner

Vs

1.The District Collector,
Krishnagiri District.

2.The Tahsildar, Uthangarai,
Krishnagiri District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 12.12.2022 and issue patta to the petitioner in respect of petitioner's land measuring an extent of 0.62.5 hectares of agricultural land comprised in S.No.26/3 of Veppalampatti Village, Uthangarai Taluk, Krishnagiri District.

For Petitioner : Mr.L.Aishwarya Lakshmi
For Respondents : Mr.R.P.Muruganraja
Government Advocate

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated 12.12.2022 and issue patta to the petitioner in respect of his land measuring an extent of 0.62.5 hectares of agricultural land comprised in S.No.26/3 of



W.P.No.5260 of 2023

Veppalampatti Village, Uthangarai Taluk, Krishnagiri District.

WEB COPY

2. It is the claim of the petitioner that, the agricultural land at S.No.26/3 situated at Veppalampatti Village, Uthangarai Taluk, Krishnagiri District to the extent of 0.62.5 hectares was in possession and enjoyment of the petitioner's father for long years and he claimed to have involved in agricultural activities in the said land, thereafter the petitioner has been in possession and enjoyment of the property. Therefore, in this context it is the stand of the petitioner that, even though it was a Government poramboke land, for several decades the petitioner's father was in possession and enjoyment and subsequently the petitioner had been enjoying the property by doing agricultural activities and they do not have any other land for such purpose i.e. livelihood of the petitioner family, they made an application on 12.12.2022 to the respondents i.e. District Collector and Tahsildar to issue patta for the said land and in support of the plea of the petitioner, the Village Panchayat has passed a resolution on 26.01.2011 and that has also been filed before this Court, therefore Ms.L.Aishwarya Lakshmi, learned counsel for the petitioner seeks indulgence of this Court to issue a direction to consider the representation of the petitioner on merits within a time frame.

3. Heard Mr.R.P.Muruganraja, learned Government Advocate for the



W.P.No.5260 of 2023

respondents who would submit that, since it is a Government poramboke land as a matter of right the petitioner cannot seek for a patta, any how the plea raised by the petitioner by way of his representation dated 12.12.2022 would be considered and decided by the 1st respondent District Collector on merits and in accordance with law within a time frame that may be stipulated by this Court.

4. Considering the said submission made by the learned Government Advocate for the respondents, there shall be a direction to the 1st respondent District Collector to consider the representation of the petitioner dated 12.12.2022 and pass necessary orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With this direction, this Writ Petition is disposed of. No costs.

23.02.2023

Index : Yes / No
Speaking Order : Yes / No
Sgl



WEB COPY



W.P.No.5260 of 2023

R.SURESH KUMAR, J.

Sgl

To

- 1.The District Collector,
Krishnagiri District.
- 2.The Tahsildar,
Uthangarai,
Krishnagiri District.

W.P.No.5260 of 2023

23.02.2023