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Writ Petition No.5595 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5595 of 2023

L.Paramasivam

... Petitioner

-Vs-

1. The District Collector,
Salem District, Salem – 636 001.
2. The Revenue Divisional Officer,
Attur Revenue Division,
Salem District – 636 102.
3. The Tahsildar,
Attur Taluk, Salem District – 636 102.
4. The Village Administrative Officer,
Punalvasal Village,
Attur Taluk, Salem District – 636 116.
5. Mr.Jothimani

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the petitioner's representation dated 29.08.2022 and subsequent direction on the part of the 3rd respondent with reference to acknowledgment vide



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TN/REV/SLM/P/COLLMGDP/29AUG22/4278642 dated 29.08.2022

within a specified period to be stipulated by this Court.

For Petitioner : Mr.V.Ramana Reddy
For Respondents : Mr.P.Sathish
[Additional Government Pleader
R1 to R4]

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents 1 to 4 herein to consider the petitioner's representation dated 29.08.2022 and subsequent direction on the part of the 3rd respondent with reference to acknowledgment vide TN/REV/SLM/P/COLLMGDP/29AUG22/4278642 dated 29.08.2022 within a specified period to be stipulated by this Court.

2. The petitioner in respect of the 3.5 acres agricultural land, which he claimed to have purchased from the erstwhile owner seeking patta made an application to the District Collector i.e., first respondent on 29.08.2022 and in order to consider the same, the petitioner has moved the present writ petition.

3. Heard Mr.V.Ramana Reddy, learned counsel appearing for the



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petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents 1 to 4 and in view of the order going to be passed in this writ petition, notice to the 5th respondent is hereby dispensed with.

4. Learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner claimed to have sent an application on 29.08.2022 by way of representation to the first respondent District Collector. However, insofar as the issuance of patta is concerned, the power is vested with the Tahsildar under the Patta Pass Book Act, 1983 to whom the seeker must have make an application through on-line, unless the petitioner come forward to make an on-line application to the third respondent Tahsildar, the plea of the petitioner cannot be considered, he contended.

5. I have considered the said submission of the learned Additional Government Pleader appearing for the respondents 1 to 4.

6. In view of the aforesaid, this Court is inclined to dispose of this



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writ petition with the following order:

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That it is open to the petitioner to make an on-line application to the third respondent seeking patta for the land in question within a period of two(2) weeks from the date of receipt of a copy of this order and on receipt of such on-line application from the petitioner, the third respondent shall consider the same and pass orders on merits and in accordance with law within a period of six(6) weeks thereafter.

With this direction, this writ petition is disposed of. No costs.

27.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp



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R. SURESH KUMAR, J.



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