



W.P.No.6137 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.6137 of 2023

Chettiannan @ Chettiya Gounder

.... Petitioner

-Vs-

1.The District Collector
Salem District at Salem.

2.The Tahsildar
Gangavalli 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 2nd respondent/ Tahsildar Gangavalli taluk to consider the application for patta dated 14.11.2022 and reminder Application dated 15.12.2022 submitted by the petitioner in respect of the Lands comprised in Survey no. 354/3 measuring 0.38 cents Survey No. 354/4 measuring 0.13 cents and Survey No.354/6 measuring 0.40 cents totaling to 0.91 cents situate at Naduvalur Village Gangavalli taluk Salem district within the time fixed by this Honble Court.

For Petitioner : Mr.K.Premkumar

For Respondents : Mr.R.P.Muruganraja
Government Advocate



W.P.No.6137 of 2023

WEB COPY

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent/ Tahsildar Gangavalli taluk to consider the application for patta dated 14.11.2022 and reminder Application dated 15.12.2022 submitted by the petitioner in respect of the Lands comprised in Survey no. 354/3 measuring 0.38 cents Survey No. 354/4 measuring 0.13 cents and Survey No.354/6 measuring 0.40 cents totaling to 0.91 cents situate at Naduvalur Village Gangavalli taluk Salem district within the time fixed by this Court.

2. In respect of the property situated in Survey no. 354/3 measuring 0.38 cents, Survey No. 354/4 measuring 0.13 cents and Survey No.354/6 measuring 0.40 cents totaling to 0.91 cents situate at Naduvalur Village Gangavalli taluk Salem district, it is the claim of the petitioner that, though it is a Government unassessed waste land that has been in occupation of the petitioners for several years, they have been enjoying the property. Therefore, in order to get patta for the land, the petitioner has given a representation to the respondents on 14.11.2022. In order to consider the same the petitioner has moved the present writ petition.



W.P.No.6137 of 2023

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. Learned Government Advocate submits that since the land in question is admittedly a Government unassessed waste, as a matter of right one cannot claim patta for the said land. Nevertheless, if at all the petitioner seeks patta for the said land and has given a representation to that effect, the same would be considered and disposed of by the authority concerned viz., the 2nd respondent Tahsildar within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with a direction to the 2nd respondent Tahsildar to consider the representation of the petitioner dated 14.11.2022 and dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

02.03.2023

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



WEB COPY



W.P.No.6137 of 2023

R. SURESH KUMAR, J.

KST

To

- 1.The District Collector
Salem District at Salem.
- 2.The Tahsildar
Gangavalli Taluk
Salem District.

W.P.No. 6137 of 2023

02.03.2023