



Order dated 01.11.2023
in W.P.No.28837 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.11.2023

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.28837 of 2023

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Parthiban

.. Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.

2. The Tahsildar,
Vikkaravandi Taluk,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to issue Patta in the name of the petitioner for the land situated in Survey No.224/5 of an extent of 0.02 cent and 224/7, New Survey No.779/4 (Old Survey no.224/10) of an extent of 0.05 cent, in all total extent of 0.07 cent in Chintamani Village, Vikaravandi Taluk, by considering the representation dated 22.04.2023, after giving opportunity of personal hearing, within a time frame as may be fixed by this Court.

For petitioner : Mr.V.Sundarraman

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For respondents: Mr.R.P.Murugan Raja, Govt. Advocate

ORDER

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent to issue Patta in the name of the petitioner for the land situated in Survey No.224/5 of an extent of 0.02 cent and 224/7, New Survey No.779/4 (Old Survey no.224/10) of an extent of 0.05 cent, in all total extent of 0.07 cent in Chintamani Village, Vikaravandi Taluk, by considering the representation dated 22.04.2023, after giving opportunity of personal hearing, within a time frame as may be fixed by this Court.

2. It is the case of the petitioner that he is working as Daily Wage Agriculture Labour by eking out his livelihood to support his family. His father was also an Agriculturist and was in occupation of the land where he resides in Survey No.224/5 of an extent of 0.02 cent and S.No.224/7, New Survey No.779/4 (Old Survey No.224/10) of an extent of 0.05 cent, in all, total extent of 0.07 cent in Chintamani Village, Vikaravandi Taluk, for the past 80 years and after his demise, the petitioner is living along with his family in the above mentioned lands without any disturbance or hindrance. For decades, the petitioner has been requesting the respondents to get the benefits extended to poor people

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considering their plight, for Patta and consequently, for electricity and water connection from Panchayat which is necessity for living. Further, the petitioner has given several representations to the respondents seeking for issuance of Patta in terms of G.O.Ms.No.854, dated 30.12.2006 issued by the Revenue Department and those representations were not considered by the respondents. Further, the petitioner has given a representation on 21.04.2022 to the first respondent requesting to consider his representation for issuance of Patta as he is entitled to the same as per the said G.O. On 22.04.2022, the first respondent has forwarded the above representation to the second respondent for taking necessary action. Even after receipt of the said representation, the second respondent had not taken any action in the matter. Thereafter, the petitioner has lastly sent a representation on 22.04.2023 to the respondents, which after receipt and having been forwarded to the second respondent by the first respondent, on 12.05.2023, no action has been taken by the second respondent. In spite of personal visit of the petitioner to the office of the second respondent, the same did not evoke any response.

3. It is the grievance of the petitioner that without issuance of Patta as requested in those representations, the petitioner could not get any benefits extended to him by the Government for welfare and development of poor people. It is also his submission that the Patta had been granted to the



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occupants who are residing in the other parts of the same Survey No.224 by the order passed by this Court in W.P.No.11921 of 2022, by order dated 04.07.2022.

As there was no response from the second respondent with regard to the representation, the petitioner has come before this Court for the relief stated supra.

4. Though the petitioner has given a representation dated 22.04.2023 before the respondents for issuance of Patta in respect of the property stated therein, but the respondents have not taken any action and also he has not given any response to the representation. Therefore, the petitioner has approached this Court.

5. When the Writ Petition came up for hearing on 05.10.2023, learned Additional Government Pleader took notice for the respondents and sought time to file counter. On 17.10.2023, at the request of the learned counsel for the writ petitioner, the matter was adjourned to today (01.11.2023).

6. So far, no reply has been given on behalf of the respondents by the learned Additional Government Pleader. Hence, the respondents are directed to consider the representation, dated 22.04.2023 of the petitioner and dispose of the same, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner and also the rival claimants if any, within a period of three months from the date of receipt of a copy of this order.



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7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

01.11.2023

CS

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Tahsildar,
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