



W.P.No.29955 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29955 of 2023

M.Aftab

... Petitioner

versus

1.The District Collector,
Tiruppathur District,
Collector Office,
Tiruppathur - 635 601.

2.The District Revenue Officer,
Second Floor,
Collector Office,
Tiruppathur - 635 601.

3.The Revenue Divisional Officer,
P.W.D.Campus New Town,
Vaniyambadi - 635 752.

4.The Tahsildar,
Taluk Office,
Vaniyambadi - 635 751,
Tiruppathur District.

...Respondents



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Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the application dated 05.08.2023 to issue patta to the land comprised at Govindapuram Village, Vaniyambadi Taluk, Tiruppathur District vide Survey No.80/1, 80/2 and 35/1 within a time frame fixed by this Court.

For Petitioner : Mr.B.Ram Prasath
For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

Mr.R.P.Murugan Raja, learned Government Advocate takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed the present writ petition seeking mandamus to direct the first respondent to consider his application dated 05.08.2023, wherein and whereby, he sought for issuance of Patta to the land comprised in Survey No.80/1, 80/2 and 35/1 situated at Govindapuram Village, Vaniyambadi Taluk, Tiruppathur District, within a time frame fixed by this Court.



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3. Learned counsel for the writ petitioner submits that this is the second round of litigation and the petitioner's father has already filed a writ petition before this Court vide W.P.No.7737 of 2012, in which this Court issued certain directions on 27.03.2012, which reads as follows:

'Accordingly, the writ petition is disposed of by directing the petitioner to give a detailed representation along with all the supporting documents to the first respondent, within a period of 15 days from the date of receipt of a copy of this order. On such representation being received from the petitioner, the first respondent or the other designated authority to whom the first respondent shall forward the representation, shall dispose of the same on merits and in accordance with law, after affording opportunity to the petitioner and others if any, within a period of three months thereafter.'

As per the above directions of this Court, the petitioner's father had given a representation dated 24.06.2012 to the first respondent/District Collector, but the first respondent has not passed any orders so far. As the petitioner's father is a diabetic patient and due to his illness, he was unable to initiate contempt proceedings against the respondents within the prescribed time.



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He further submitted that, now the petitioner has given a representation dated 05.08.2023 to the respondents to issue Patta for the subject property and the respondents have not yet considered the same. Hence, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the materials available on record.

5. On a careful perusal of the order passed by this Court in the above said earlier writ petition, it is seen that, after considering the submissions made by both learned counsel, this Court made certain directions to the respondents to consider the representation of the petitioner's father and to pass necessary orders on the same. It is seen that this is the second round of litigation, and now the petitioner has come forward with the present writ petition for the same relief that has already been sought for in the earlier writ petition in W.P.No.7737 of 2012 and the same was considered by this Court. Hence, this petition is not maintainable.

6. Under such circumstances, this Writ Petition is dismissed, with



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liberty to the writ petitioner to work out his remedy in the manner known to law. There shall be no order as to costs.

17.10.2023

Speaking/Non-speaking order

Index : Yes/No

Neutral Citation : Yes/No

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P.VELMURUGAN, J.

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