



WEB COPY

W.P. No.1113 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.1113 of 2024

S.Muruganandam

... Petitioner

Vs.

1. The District Collector
Ariyalur District

2. The Revenue Divisional Officer
Ariyalur, Ariyalur District

3. The Tahsildar
Ariyalur Taluk
Ariyalur District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Tahsildar, Ariyalur to make necessary steps to entry/restore/grant Patta in favour of the petitioner for Survey No.11/6 measuring an extent of 0.13.0 Ares (0.32 cents) in revenue portal and in revenue records on considering the Patta and other revenue records which were registered in the name of petitioner for Survey No.11/6 measuring an extent of 0.13 Ares in Patta No.79, properties situated at Vadugapalayam Village, Ariyalur Taluk & District.

For Petitioner : M/s.Usha Ramman

For Respondents : Ms.Akila Rajendran
Government Advocate

ORDER



This Writ Petition is filed seeking a Writ of Mandamus directing the Tahsildar, Ariyalur/3rd respondent to take necessary steps for entry/restore/grant Patta in favour of the petitioner for Survey No.11/6 measuring an extent of 0.13.0 Ares (0.32 cents) in revenue portal and in revenue records on considering the Patta and other revenue records which were registered in the name of petitioner for Survey No.11/6 measuring an extent of 0.13 Ares in Patta No.79, properties situated at Vadugapalayam Village, Ariyalur Taluk & District.

2. The contention of the petitioner is that the petitioner purchased the subject property from one Nagarajan vide registered sale deed in Document No.1506/1993 dated 27.12.1993 on the file of the Sub Registrar Office, Kizhapaluvur, Ariyalur and Patta No.79 was also issued in favour of the petitioner in the year 2002. While so, when the particulars of the land, land owners, Patta and other details were undated in the Tamil Nilam Portal, the particulars of the petitioner's Patta which was already recorded in the revenue records were not uploaded and thereby, the petitioner's name is not reflected in the said Portal. Therefore, the petitioner made a representation to the Sub Collector/Revenue Divisional Officer, Ariyalur, who in turn conducted enquiry



and a direction was issued to restore/grant Patta in favour of the petitioner.

However, the revenue officials have failed to make necessary entries to restore the Patta in the name of the petitioner. The petitioner has been making several representations from the year 2016 and the last representation was made on 17.06.2022 to restore the Patta in the name of the petitioner. But till today, no action has been taken on the petitioner's representation. Hence, the petitioner was constrained to file the present writ petition before this Court.

3. Ms.Akila Rejendan, learned Government Advocate who takes notice for the respondents submitted that a direction may be issued to the respondents to consider the petitioner's representation within a stipulated time as the case may be.

4. It is to be noted that this Court, in W.P.No.262 of 2018 (D.Tulasi vs. The District Revenue Officer, Dharmapuri etc. and batch), by order dated 09.06.2023, directed the Department to issue circular in regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a circular No.R1/2005632/2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters



have to be disposed of has been fixed in the circular and inspite of the same, the Departments are not following either the order of this Court or the circular.

5. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents to consider the petitioner's representation dated 17.06.2022 if already not considered and issue notice to the petitioner and interested parties/rival claimants/objectors if any as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order since the date of representation is on 17.06.2022 and time limit stipulated in the said circular is already over.

6. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

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Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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