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W.P.No.3102 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.3102 of 2024

K.Pazhanimuthu Udaiyar

... Petitioner

Vs.

1. The District Collector
Office of the Collectorate, Salem District

2. The Revenue Divisional Officer
Office of the RDO
Attur Town and Taluk, Salem District

3. The Tahsildar
Office of Tahsildar
Thalaivasal Taluk, Salem District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent authority to issue Patta in favour of the petitioner by disposing of the petitioner's representation dated 29.12.2023, in the light of the recommendation passed by the 3rd respondent dated 29.09.2022 within such time as may be stipulated by this Court.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER



This Writ Petition is filed seeking a Writ of Mandamus directing the 3rd respondent authority to issue Patta in favour of the petitioner by disposing of the petitioner's representation dated 29.12.2023, in the light of the recommendation passed by the 3rd respondent dated 29.09.2022 within such time as may be stipulated by this Court.

2. The case of the petitioner is that in the year 1988, D-Guard patta vide proceedings in Namuna in 75/AM/1398 was issued to the petitioner which is admittedly a Punja Land. When the petitioner verified the details regarding the property through online, he found that his property in Survey No.248/6 is show as Tharisu in the online records. Hence, the made a representation dated 14.07.2021 requesting the authorities to do necessary rectification in the online records. Pursuant to which, the 2nd respondent forwarded a communication dated 19.07.2021 to the 3rd respondent, directing to conduct spot inspection and to take appropriate action. Accordingly, inspection was conducted by the revenue officials and the 3rd respondent sent a report clarifying that the land was not covered with any of the Boodhan Board Register and that the land was not allotted for any other specific purpose especially for the depressed and Adi Dravidar People and he recommended to



make necessary entries in the online by changing the entry from Arasu Punja Tharisu to Ryot Punja and also sent a communication for conversion of online Patta in favour of the petitioner's property. However, till date, the authorities have not taken any action. Subsequently, he also sent a reminder dated 29.12.2023 requesting to issue computerized Patta in the name of the petitioner. Since there was no response, the present petition is filed before this Court.

3. Mr.T.Arunkumar, learned Additional Government Pleader takes notice for the respondents.

4. According to the petitioner, the assignment of land is not a conditional assignment and that the 3rd respondent/Tahsildar has also sent a recommendation dated 29.09.2022 to change entries in the online as Ryot Punja from Arasu Punja Tharisu and that the petitioner in his affidavit has also extracted the particular portion of the recommendation of the 3rd respondent, whereas, in the typed set of papers filed along with the writ petition shows that it is a conditional assignment and it is not known as to on what basis the 3rd respondent has given such a recommendation and whether the condition imposed in the assignment has been violated or not, the same



have to be enquired.

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5. Therefore, the 2nd respondent is directed to issue notice to the petitioner, interested parties/rival claimants/objectors/aggrieved parties if any, as the case may be and conduct enquiry in the manner known to law and pass order on merits and in accordance with law and dispose of the petitioner's representation, within a period of three months from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of at the admission stage itself. No costs.

13.02.2024
(1/2)

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Index : Yes / No

Neutral Citation Case : Yes/No



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WEB COPY

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P.VELMURUGAN. J.

Ksa-2

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(1/2)