



W.P.No.7840 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.7840 of 2024

Velmurugan

... Petitioner

versus

- 1.The Commissioner of Land Reforms
Chepauk, Chennai – 600 005.
- 2.The District Collector,
Salem District, Salem – 636 001.
- 3.The District Revenue Officer,
Salem District, Salem – 636 005.
- 4.The Revenue Tahsildar,
Pethanaickenpalayam, Attur,
Salem District, Salem – 636 109.



W.P.No.7840 of 2024

5. The Assistant Director,
Survey and Land Records,
Salem Collector Office,
Salem District, Salem - 636 001.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to issue Patta for the property in Survey No.12/1, to an extent of 05 cents in Muthagoundanoor Village Salem District and also make necessary correction in the revenue entry as 'plot' instead of 'Pathway' pursuant to petitioner's representation dated 06.02.2024.

For Petitioner : Mr.K.Thenrajan
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the respondents. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.No.7840 of 2024

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents to issue Patta for the property in Survey No.12/1, measuring an extent of 05 cents in Muthagoundanoor Village, Salem District and to also make necessary corrections in the Revenue Records as 'plot' instead of 'Pathway', pursuant to the petitioner's representation dated 06.02.2024.

3. The main grievance of the petitioner is that even though he has given a representation on 06.02.2024, the respondents have not considered the said representation till date.

4. The learned Additional Government Pleader for the respondents submitted that the Revenue Divisional Officer, who is not a party to the writ petition, is the competent authority to consider the representation of the petitioner.



W.P.No.7840 of 2024

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5. Heard both sides and perused the materials available on record.

6. Having regard to the submissions made by the learned Additional

Government Pleader appearing for the respondents, this Court finds that the Revenue Divisional Officer is the competent authority to consider the representation of the petitioner. Even though the petitioner has given a representation to the Revenue Divisional Officer along with the other respondents herein, he has not impleaded the Revenue Divisional Officer as a party in this writ petition. Further, the petitioner has made a representation to the respondents on 06.02.2024. As per the Circular No.R1/2005632/2022, dated 17.07.2023 issued by the Commissioner of Land Administration, the representation of the petitioner would be considered within a period of six months. Since the petitioner, without impleading necessary parties, had rushed to the Court and filed the present writ petition, this Court is not inclined to entertain this writ petition.



W.P.No.7840 of 2024

7. In view of the above, the writ petition is dismissed. There shall be

no order as to costs.

26.03.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

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Page Nos.5/6



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W.P.No.7840 of 2024

P.VELMURUGAN, J.

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W.P.No.7840 of 2024

26.03.2024

Page Nos.6/6