



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18663 of 2024

Samikannu

...

Petitioner

versus

1.The District Collector,
Dharmapuri District.

2.The Tahsildar,
Harur Taluk,
Dharmapuri District.

3.Manga

4.Menaga

5.Manivel

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to cancel the patta issued in favour of the 3rd respondent in Patta No.322 comprised in Survey No.60/5 and Patta No.323 comprised in the Survey No.60/6 at Keelmorappur Village, Harur Taluk, Dharmapuri District and consequently direct the respondents 1 and 2 to issue patta in favour of the petitioner at Keelmorappur Village, Harur Taluk, Dharmapuri District in S.No.60/5 and 60/6.

For Petitioner

:

Mr.J.Pradeep

For Respondent Nos.1 & 2

:

Mr.P.Sathish

Additional Government Pleader



ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the second respondent to issue patta to the petitioner by considering the representation of the petitioner dated 08.04.2024.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 & 2 and perused the materials available on record.

4. It is the grievance of the writ petitioner that he has been in possession of the poramboke land for more than 75 years. However, the patta has been issued in favour of the respondents 3 and 4. In this regard, he has given a representation. However, the same has not been considered by the respondents 1 and 2. Hence, he seeks a direction.



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5. The learned Additional Government Pleader for the respondents 1 & 2 would submit that if the property is a water body, nobody is entitled to the patta. However, the second respondent will consider the representation of the petitioner and pass orders on merits.

6. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the second respondent to consider the representation of the petitioner dated 08.04.2024 and taking note of the fact that whether the land comes within objection poramboke or unobjectionable poramboke and pass appropriate orders on merits for issuance of patta in the name of the petitioner, after giving notice to the neighbouring land owners, within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

15.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N.SATHISH KUMAR, J.

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To

- 1.The District Collector,
Dharmapuri District.
- 2.The Tahsildar,
Harur Taluk,
Dharmapuri District.

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