



WEB COPY



W.P.No.22239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.22239 of 2024

N.Elumalai

... Petitioner

VS.

- 1.The District Collector
Cuddalore,
Cuddalore District.
- 2.The District Revenue Officer
District Collector Office,
Cuddalore District.
- 3.The Revenue Divisional Officer
Cuddalore Division,
Cuddalore District.
- 4.The Tahsildar,
Virudhachalam Taluk,
Virudhachalam, Cuddalore.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st to 4th respondents to issue patta in favour of the petitioner in comprising in Survey Nos.170/1 measuring 32 cents, 170/2 measuring 3 Acres and 170/4 measuring 82 cents at Vijayamanagaram Village, Virudhachalam Taluk, Cuddalore District based on the petitioner's representation dated 07.05.2024.



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For Petitioner : Mr.S.Satheeshkumar

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 1 to 4 to issue patta in his favour in respect of Survey Nos.170/1 measuring 32 cents, 170/2 measuring 3 acres and 170/4 measuring 82 cents situated at Vijayamanagaram Village, Virudhachalam Taluk, Cuddalore District by considering his representation dated 07.05.2024.

2. According to the petitioner, his father was assigned with lands in Survey Nos.170/1, 170/2 and 170/4 in lieu of properties surrendered to Neyveli Lignite Corporation (NLC). It was asserted by the petitioner that after the death of his father, he had been in possession and enjoyment of the said properties. The petitioner submitted a representation to the respondents on 07.05.2024 seeking issuance of patta in his name in respect of properties described therein. On 16.05.2024, the representation submitted by the petitioner was forwarded by the 1st respondent to the respondents 3 and 4



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with a direction to them to conduct field enquiry and file a report.

Thereafter, the respondents 3 and 4 have not taken any further action, therefore, the petitioner has come by way of this writ petition.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents, on instructions, submitted that as per the assignment order produced by the petitioner in the typed-set of papers the petitioner's father was assigned with 3 acres of land in S.No.170/2. However, the petitioner is claiming right over other survey numbers namely 170/1, 170/3 and 170/4 and the same cannot be considered in the light of the assignment order passed in favour of the petitioner's father.

4. The petitioner only seeks a direction to the respondents to issue patta in his name in respect of three survey numbers namely 170/1, 170/2 and 170/4. The representation of the petitioner has already been forwarded by the 1st respondent to the 3rd respondent with a direction to conduct field enquiry as seen from the proceedings of the 1st respondent dated 15.05.2024 in Na.Ka.V8/1979460/2024.



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5. In view of the same, this Court without going into the merits of the claim made by the petitioner and his entitlement to get patta, directs the 3rd respondent to complete the field enquiry as per the direction issued by the 1st respondent by his proceedings dated 15.05.2024 and file a report before the 1st respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of such report, the 1st respondent shall dispose of the representation submitted by the petitioner dated 07.05.2024 on merits, without influenced by anything said in this order, within a further period of four weeks.

6. With these directions, the Writ Petition stands disposed of. No costs.

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Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

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