



WEB COPY



W.P.No.20943 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.20943 of 2024

P.Arumugam

.. Petitioner

Versus

1.The District Collector,
Collectorate
Salem District

2.The District Revenue Officer,
Salem District

3.The Revenue Divisional Officer,
Mettur Taluk, Salem District

4.The Tahsildar,
Main Road, Subramania Nagar
Suramangalam, Salem – 636 302

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to issue patta in the name of the petitioner for the land measuring 1 acre 65 cents comprised in T.S.No.7/1 part, Ward-B, Block No.9, Mettur Town and Sampalli Village, Mettur Taluk, Salem District in light of the order passed in WP.No.4393 of 2021 dated 11.04.2023.

For Petitioner : Mr.Srinath Sridevan, Senior Counsel
Mr.P.S.Prabu

For Respondents : Mr.S.J.Mohammed Sathik
Government Advocate



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ORDER

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2. This Writ Petition is filed to issue a direction to 4th respondent to issue patta in the name of the petitioner for the land measuring 1 acre 65 cents comprised in T.S.No.7/1 part, Ward-B, Block No.9, Mettur Town and Sampalli Village, Mettur Taluk, Salem District in light of the order passed in WP.No.4393 of 2021 dated 11.04.2023.

3.The case of the petitioner is that the petitioner's parents are the absolute owners of the Natham lands consisting 1 acre 65 cents comprised in T.S.No.7/1 part, Ward-B, Block No.9, Mettur Town and Sampalli Village, Mettur Taluk, Salem District. The petitioner has made a representation on 28.06.2024 for issuance of patta, however, the same is pending without consideration till date. Hence, this writ petition.

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



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5. It is now well settled by a judgment of Division Bench of this Court in W.A.No.843 of 2022 dated 23.06.2024 (District Collector of Tiruvannamalai Vs. K.Siva Shanmugam(deceased) and others), wherein it has been held that once Natham land is occupied and the occupation is recognized by the government by issue of a patta under the Natham Settlement Scheme, such land will not and cannot be held to belong to the Government. In such view of the matter, since the third respondent is a competent person for issuance of patta, the third respondent is directed to pass appropriate orders on merits and in accordance with law, taking note of the above judgment in W.A.No.843 of 2022. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

26.07.2024

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To

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Collectorate
Salem District
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Salem District
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