



W.P.No.25914 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.25914 of 2024

T.Veerasigamani

... Petitioner

Vs.

1. The Commissioner,
Land Administration,
PWD Buildings, Chepauk,
Chennai – 600 005.

2. The District Collector,
Salem District,
Salem – 636 001.

3. The District Revenue Officer,
Salem District,
Salem – 636 001.

4. The Revenue Divisional Officer,
Attur, Attur Taluk,
Salem District.

5. The Tahsildar,
Talaivasal Taluk,
Talaivasal,
Salem District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 5th Respondent herein to issue Patta to the Petitioner and considering the representations made by the Petitioner dated 04.11.2019, 18.11.2019 and 01.02.2023 made by the petitioner in respect of the land S.No.200/1A (New No.200/29 – Grama natham), S.No.200/1B (New No.200/30 – Play area in Vellaiyur Village, Talaivasal Taluk, Salem District in the light of the order passed by the 3rd Respondent dated 22.02.1980 in proceedings No.D.Dis.150051/1979.)

For Petitioner : Mr.L.Muthusamy

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus directing the 5th Respondent herein to issue Patta to the Petitioner and considering the representations made by the Petitioner dated 04.11.2019, 18.11.2019 and 01.02.2023 made by the petitioner in respect of the land S.No.200/1A (New No.200/29 – Grama natham), S.No.200/1B (New No.200/30 – Play area in Vellaiyur Village, Talaivasal Taluk, Salem District in the light of the order passed by the 3rd Respondent dated 22.02.1980 in proceedings



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No.D.Dis.150051/1979.).

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2. It is the case of the Petitioner that the property in question was purchased by the Petitioner's forefather in the year 1889 under a registered Document No.1695 of 1889 on the file of Sub Registrar, Attur. The said property through inheritance has fallen to the share of the Petitioner and his brother and the Petitioner is in possession and enjoyment of the said property in question. The Petitioner has made a representation in the year 1982 originally to the Tahsildar to reclassify and issue Patta in respect of the said property. Once again on 26.04.1983, this request was renewed. Thereafter, the Petitioner has sent a representation on 04.11.2019 to reclassify and issue Patta and again on 18.11.2019 to the 2nd Respondent, however no action has been taken. The 4th Respondent had forwarded the representation to the 5th Respondent for action on 06.12.2019 and 26.12.2019. The Petitioner has been renewing the request and the last of such request was made on 10.02.2023, to which the 2nd respondent has mechanically forwarded the representation to the 4th Respondent.

3. Considering the indifference that has been shown by the



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Respondents who are statutorily bound to consider and pass orders of such representation / application, the Petitioner is before this Court. Perusal of the records and the contents of the affidavit makes sure that the property in question has been in the petitioner's possession for nearly 130 years and that from the year 1983, they had been making the very same request to the Respondents who are refusing to perform a statutory duty. Therefore a mandamus is issued to the 5th Respondent to consider the representations of the Petitioner dated 04.11.2019, 18.11.2019 and 01.02.2023 and afford an opportunity to the Petitioner to submit the documents and thereafter, pass orders granting patta. The said exercise shall be completed within period of six (6) weeks from the date of receipt of a copy of this Order. In case of refusal a speaking order shall be passed.

4. With the above directions, the Writ Petition stands allowed. No cost.

13.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
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