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WP.No.33869 of 2024

In the High Court of Judicature at Madras

Dated : 20.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.33869 of 2024

Mr.M.Selvam, rep.by his general
power of attorney agent
Mr.K.Elumalai

...Petitioner

Vs

1.The Tahsildar, Katpadi Taluk,
Vellore District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional
Officer, Vellore District-9.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue patta in respect of agricultural punja lands situated at Senoor Village, Katpadi Taluk, Vellore District comprised in Old Survey No. 65/1A (part), New Survey Nos.65/1A13, 65/1A14 and 65/1A15 (parts) measuring an extent of 49 cents (0.20.0 hectares) in the name of the petitioner by considering the representation dated 08.8.2024.

For Petitioner : Mr.G.Sugadev Rajaguru
For Respondents : Mr.R.P.Murugan Raja, GA



WEB COPY



WP.No.33869 of 2024



WP.No.33869 of 2024

ORDER

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Seeking a Mandamus to the respondents to consider his representation dated 08.8.2024 and to issue patta in respect of the agricultural punja lands situated at Senoor Village, Katpadi Taluk, Vellore District comprised in Old Survey No. 65/1A (part), New Survey Nos.65/1A13, 65/1A14 and 65/1A15 (parts) measuring an extent of 49 cents (0.20.0 hectares) in the name of the petitioner, the writ petition has been filed.

2. Heard the learned counsel for the petitioner and the Government Advocate accepting notice for the respondents.

3. The petitioner would contend that he is the sole and absolute owner of the said property and he acquired the said property from his general power of attorney agent - K.Elumalai vide doc.No.27.11.2013 registered as doc.No.10497 of 2013 on the file of the Sub-Registrar, Katpadi. The patta stands in the names of the predecessors in title namely the general power of attorney agent and his brother. After the purchase, the petitioner applied through online for the issuance of patta in his name. The petitioner also paid necessary fees. Despite the fact that the application was received even on the same date, the first respondent has not taken any steps to issue patta in the name of the



WP.No.33869 of 2024

petitioner.
WEB COPY

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner owns the property, he requested the first respondent to conduct a survey and issue a patta in his name. However, it did not evoke any response. Hence the writ petition.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to consider the online application of the petitioner dated 08.8.2024, conduct a survey of the said property and issue a patta in the name of the petitioner. The petitioner shall submit all the relevant records before the first respondent to show his title to the said property and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying the property and issuing patta or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

20.11.2024



WEB COPY



WP.No.33869 of 2024

P.T.ASHA,J

RS

To

- 1.The Tahsildar, Katpadi Taluk,
Vellore District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional
Officer, Vellore District-9.

WP.No.33869 of 2024

20.11.2024