



WP.No.35788 of 2024

In the High Court of Judicature at Madras

Dated : 03.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35788 of 2024

B.Lakshmi

Vs

...Petitioner

1. The District Revenue Officer
Office of the Collectorate
Vellore, Vellore District.
2. The Revenue Divisional Officer
Office of the RDO
Vellore, Vellore District.
3. The Tahsildar
Office of the Tahsildar
Anaikattu Taluk
Vellore District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to dispose the petitioner's appeal dated 18.9.2024 pending on the file of the 1st respondent preferred against the impugned order passed by the 2nd respondent in Pa.Mu.No.A2/4021/2023 dated 11.1.2024 and dispose the same within the time frame that may be fixed by this



WP.No.35788 of 2024

Court.

For Petitioner : Mr.S.Arokiamaniraj
For Respondents : Mr.M.R.Gokul Krishnan, AGP

ORDER

Seeking a direction to the first respondent to dispose of her appeal dated 18.9.2024, the petitioner is before this Court.

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

3. The case of the petitioner is as follows :

(i) The lands measuring an extent of 4.45 acres comprised in S.F.Nos.111/1A1 and 111/1A3, Agraharam Village, Valayalkarapatti Post, Agaram Firka, Anaikattu Taluk, Vellore District were classified as depressed class lands and reserved for the welfare of the scheduled caste community. In the year 1937, the said lands were assigned to the brother of her husband's grandfather - one Mr.Munikan, who was in enjoyment of the said lands till his death on 07.6.1975. He died issueless. Thereafter, his brother - the petitioner's husband's grandfather - one Mr.Annamalai was in possession of the said properties. After the death of the said Mr.Annamalai on



WP.No.35788 of 2024

27.3.1988, the petitioner's husband - one Mr.Balaji and his brother - one Mr.Venkatesan occupied the said properties and were in enjoyment of the same.

(ii) Therefore, the brother in law of the petitioner sent a representation to the Revenue Authorities to issue patta in respect of the said properties, in which, a notice dated 04.2.1991 was issued to him under Section 9(2) of the Tamil Nadu Survey and Boundaries Act. But, thereafter, no action was taken to transfer patta from the name of the said Mr.Munikan to the name of the petitioner's brother in law. Since they are in possession and enjoyment of the said properties and are regularly paying land tax, they had been renewing their request for the grant of patta.

(iii) In view of this inaction on the part of the respondents, the petitioner filed W.P.No.27489 of 2022 before this Court seeking a direction to the third respondent to consider her representation dated 08.8.2022 for the grant of patta and it was disposed of by order dated 14.10.2022 directing the second respondent to conclude the proceedings and pass appropriate orders within twelve weeks. Subsequently, the order dated 11.1.2024 came to be passed by the second respondent rejecting her request for the grant of patta. Challenging the same, an appeal has been preferred to the first



WP.No.35788 of 2024

respondent on 18.9.2024, which has not been taken up for consideration. Therefore, the petitioner is before this Court.

4. Taking note of the fact that from the year 1991, the petitioner and her family members have been petitioning to the respondents for the grant of patta in respect of the said properties and that the same ended in rejection only on 11.1.2024 i.e after 30 years, the writ petition is allowed and a Mandamus is issued to the first respondent to dispose of the appeal filed 18.9.2024 within a period of two months from the date of receipt of a copy of this order. No costs.

03.12.2024

To

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WP.No.35788 of 2024

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WP.No.35788 of 2024

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