



WEB COPY



WP.No.36882 of 2024

In the High Court of Judicature at Madras

Dated : 04.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36882 of 2024

R.Kalvarayan

...Petitioner

Vs

1.The District Collector of
Kallakurichi Collectorate,
Kallakurichi.

2.The Sub-Collector of
Kallakurichi, Kallakurichi
Collectorate, Kallakurichi.

3.The Revenue Divisional Officer,
Cuddalore.

4.The Tahsildar, Vanapuram
Taluk, Kallakurichi District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 19.8.2024 and issue patta to the petitioner for the lands comprised in survey No.146/6 in Door No.3/148, North street at Kalayanallur Village, Vanapuram Taluk, Kallakurichi District.

For Petitioner : Mr.R.Agilesh
For Respondents : Mr.A.Selvendran, SGP



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ORDER

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Seeking a Mandamus to the respondents to consider his representation dated 19.8.2024 for the grant of patta in respect of the property comprised in Survey No.146/6 in Door No.3/148, North street at Kalayanallur Village, Vanapuram Taluk, Kallakurichi District, the petitioner is before this Court.

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

3. The petitioner would contend that the Government acquired the lands in survey No.146/6, Kalayanallur Village, Vanapuram Taluk, Kallakurichi District for providing road. After acquisition, out of the remaining lands in survey No.146/6, the petitioner purchased a small piece of land vide sale deed dated 17.5.1961 registered as doc.No.928 of 1961 on the file of the Sub-Registrar, Thiyagadurgam. Thereafter, he constructed a residential house and is in possession and enjoyment of the said property. He obtained electricity service connection and has been paying the house tax regularly. The petitioner made a representation dated 19.8.2024 to the first respondent seeking to issue a patta in respect of the said property. As it did not evoke any response, the petitioner is before this Court.



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4. It is seen from the documents enclosed along with the affidavit filed in support of the writ petition that the said representation has been given only to the first respondent. As the appropriate authority is the fourth respondent, the petitioner can be directed to send a fresh representation to the fourth respondent so as to consider his request.

5. Accordingly, the writ petition is allowed and a Mandamus is issued to the petitioner to send a copy of the said representation dated 19.8.2024 to the fourth respondent forthwith. On receipt of the same, the fourth respondent shall consider the request of the petitioner for the grant of patta in respect of the said property. The petitioner shall submit all the relevant records to show his title to the said property and the fourth respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either granting the patta or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

RS

04.12.2024



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P.T.ASHA,J

RS

To

- 1.The District Collector,
Kallakurichi Collectorate,
Kallakurichi.
- 2.The Sub-Collector of
Kallakurichi, Kallakurichi
Collectorate, Kallakurichi.
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