



WEB COPY



W.P.No.331 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.331 of 2024

N.Arjunan

... Petitioner

Versus

1.The District Collector,
Tiruvannamalai District.

2.The Tahsildar,
Chengam Taluk Office,
Tiruvannamalai District.

3.The Taluk Surveyor,
Chengam Taluk Office,
Tiruvannamalai District.

4.The Sub Inspector of Police,
Pachal Police Station,
Tiruvannamalai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to issue separate patta after survey the land and demarcate the boundaries as in their sale deed dated 03.04.2007 comprised in survey No.7/1 an extent of 0.57 cent and 7/2 an extent of 0.88 ½ cent an total extent of 1.46 acre of agriculture land in join patta No.144 situated at



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Melapunjai Revenue Village, Chengam Taluk, Tiruvannamalai District on the e-challan number 20230527001009 dated 27.05.2023 and consider the petitioner's representation dated 05.10.2023 within a stipulated period.

For Petitioner : Mr. V. Elango
For Respondents : Mrs. V. Yamunadevi (for R1 to R3)
Special Government Pleader
: Mr. S. Sugendran (for R4)
Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents 1 to 3 to issue separate patta after survey of the land and demarcate the boundaries as in their sale deed dated 03.04.2007 comprised in survey No.7/1 of an extent of 0.57 cent and S.No.7/2 of an extent of 0.88 ½ cent and total extent of 1.46 acres of agriculture land in joint patta No.144 situated at Melapunjai Revenue Village, Chengam Taluk, Tiruvannamalai District on the e-challan number 20230527001009 dated 27.05.2023 and consider the petitioner's representation dated 05.10.2023 within a stipulated period.



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2. The petitioner claims ownership of agricultural land measuring 1.46 acres in Melapunjai Revenue Village, Chengam taluk, Thiruvannamalai District, under Survey Numbers 7/1 (0.57 cent) and 7/2 (0.88½ cent), acquired through a sale deed (No.747/2007) on 03.04.2007 from Narayanansamy, Vellamungi, Annadurai, and Ravi. From the date of purchase, the petitioner has been cultivating the land for 17 years after obtaining agricultural loans with clear Encumbrance Certificates. To facilitate further development, the petitioner applied for a separate patta through an online application (Challan No.202310527001009) on 27.05.2023, paying Rs.1,600/-. Despite multiple personal requests and a representation sent via registered post on 05.10.2023, the authorities have not taken any action. Hence the present writ petition.

3. Mrs. V. Yamunadevi, learned Special Government Pleader who takes notice for the respondents Nos.1 to 3 submitted that a direction may be issued to the respondents to consider the petitioner's representation dated 05.10.2023.



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4. Heard the learned counsel for the petitioner, learned Special Government Pleader who takes notice for the respondents Nos.1 to 3 and the learned Government Advocate appearing for the fourth respondent and perused the materials available on record.

5. The Writ Petition is dismissed against the fourth respondent since the fourth respondent has nothing to do with the said Survey Number and it is for the Revenue Officials/other respondents to take care of it.

6. Though this Court time and again is pressing the decision rendered by this Court, in ***D.Tulasi Vs. The District Revenue Officer, Dharmapuri and etc.***, in W.P.Nos.262 of 2018, batch, etc., dated 09.06.2023, and a Circular No.R1/2005632 /2022 dated 17.07.2023 issued by the Commissioner of Land Administration, to dispose of the application /revision/appeals/representation/petition, within the time, the respondents /Revenue authorities neither followed the directions of this Court, nor followed the Circular issued by the Commissioner of Land Administration.



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7. Since the writ petition is filed only for issuance of a simple writ of mandamus to consider the petitioner's representation dated 05.10.2023, this Court, without expressing any opinion with regard to the merits of the case, directs the second respondent to issue notice to the petitioner and the interested parties/rival claimants/objectors if any, as the case may be and conduct an enquiry in a manner known to law and dispose of the petitioner's representation dated 05.10.2023 on merits and in accordance with law. The said exercise shall be completed, within the time as stipulated in the said circular, from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition is disposed of in so far as the respondents 1 to 3 are concerned. As stated above, the writ petition stands dismissed as against the 4th respondent. There shall be no order as to costs.

09.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

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P. VELMURUGAN, J.

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