

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1101 of 2015

Sri Ramakrishna Madam Trust,
Rep. by its Managing Trustee,
V.S.N.Arusamy

...Petitioner

Versus

1.The District Revenue Officer,
Tiruppur District, Tiruppur.

2.The Tahsildar,
Dharapuram, Tiruppur District.

3.The Commissioner,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 19.12.2014 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.L.Mahendran

Government Advocate for R1 and R2

Mr.Senthil Kumar

Addl.Govt.Pleader for R3

ORDER

Heard Mr.C.Prakasam, learned counsel for the petitioner, Mr.M.L.Mahendran, learned Government Advocate appearing for respondents 1 and 2 and Mr.Senthilkumar, learned Additional Government Pleader appearing for the third respondent and with their consent, the writ petition is taken for disposal at the admission stage.

2. The petitioner is a Trust and running a higher secondary school. They seek for a direction upon the respondents to consider their representation dated 19.12.2014 to mutate the revenue records in respect of the property in S.F.No.386/2A in T.S.No.60 Chitharavuthunapalayam Village in the name of the Trust. The

petitioner would rely upon a decision of this court in W.P.No.10712 of 2014 filed by S.R.Velusamy Gounder, wherein, the challenge was to G.O.Ms.No.469, Housing and Urban Development Department, dated 13.05.1985 contending that acquisition proceedings have lapsed in the light of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The writ petition was allowed by an order dated 25.11.2014. The petitioner claims to have purchased the land from the said writ petitioner Mr.S.R.Velusamy Gounder. With these facts, the petitioner has approached the respondents for grant of patta.

3. The learned Government Advocate submitted that it is not known whether any writ appeal has been preferred as against the order dated 25.11.2014 made in W.P.No.10172 of 2014.

4. In any event, the representation made by the petitioner Trust is pending before the authorities. Therefore, without going into the merits of the contentions raised by the petitioner, there will be a direction upon the second respondent to consider the petitioner's representation dated 19.12.2014 after issuing notice to the petitioner, Tamil Nadu Housing Board and the third respondent Municipality and pass a reasoned order on merits and in accordance with law as expeditiously as possible. This Court has not gone into the merits of the case and it is open to the authority to pass orders after taking note of the merits.

5.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Revenue Officer,
Tiruppur District, Tiruppur.
- 2.The Tahsildar,
Dharapuram, Tiruppur District.
- 3.The Commissioner,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

1 cc to Mr. C.Prakasam, Advocate, SR.No.2698/15
1 cc to Government Pleader, Sr.No2512/15

br (co) pmk.21.1.2015

W.P.No.1101 of 2015