

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12024 of 2015

A.Sathasivam

...Petitioner

vs.

1. The District Collector,
Namakkal District,
Namakkal.

2. The Tahsildar
Namakkal Taluk,
O/o Tahsildar,
Namakkal.

3. The Taluk Surveyor
Namakkal,
O/o Tahsildar,
Namakkal.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 15.07.2014 on merits and in accordance with law, within a reasonable time to be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.Rm.Muthukumar
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that he is the absolute owner of the agricultural lands admeasuring to an extent of 4.96 acres comprised in Survey Nos.186/5, 186/6 and 173/3 in Karaikurichi Revenue Village in Namakkal Taluk and District and inbetween his patta lands, a Government Poramboke land classified as Tharisu having an extent of 66 cents in Survey No.186/1 is lying vacant and also occupied the said land to have better usage of his patta land and it is the claim of the petitioner that he is possessing the same for more than 30 years and he can access through the said land only to other parts of his lands. In this regard petitioner submitted representation dated 15.07.2014 to appraise the old revenue records in respect of the old classification an to cancel the re-classification as 'Odai' and restore as 'Government Poramboke - Tharisu'. Though it was acknowledged by the respondent, he has not been favoured with any response and hence came forward to file this writ petition.

3.The learned counsel appearing for the respondents would submit that the petitioner has also filed civil suit in O.S.No.639 of 2001 against the person who sought interference and also obtained an interim order till 04.01.2001 during the year 2001 and would further contend that he is not aware of the fact whether the suit is still pending or not.

4.This Court heard the submissions of Mr.R.Neelakandan, learned counsel appearing for the petitioner and Mr.Rm.Muthukumar, learned Government Advocate appearing for the respondents.

5.This Court taking into consideration the limited scope of the prayer sought for and without going into the merits of the representation, directs the first respondent to consider and dispose of the petitioner's representation dated 15.07.2014, in accordance with law after putting on notice to the persons concerned and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as to the persons concerned.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Namakkal District,
Namakkal.

2. The Tahsildar
Namakkal Taluk,
O/o Tahsildar,
Namakkal.

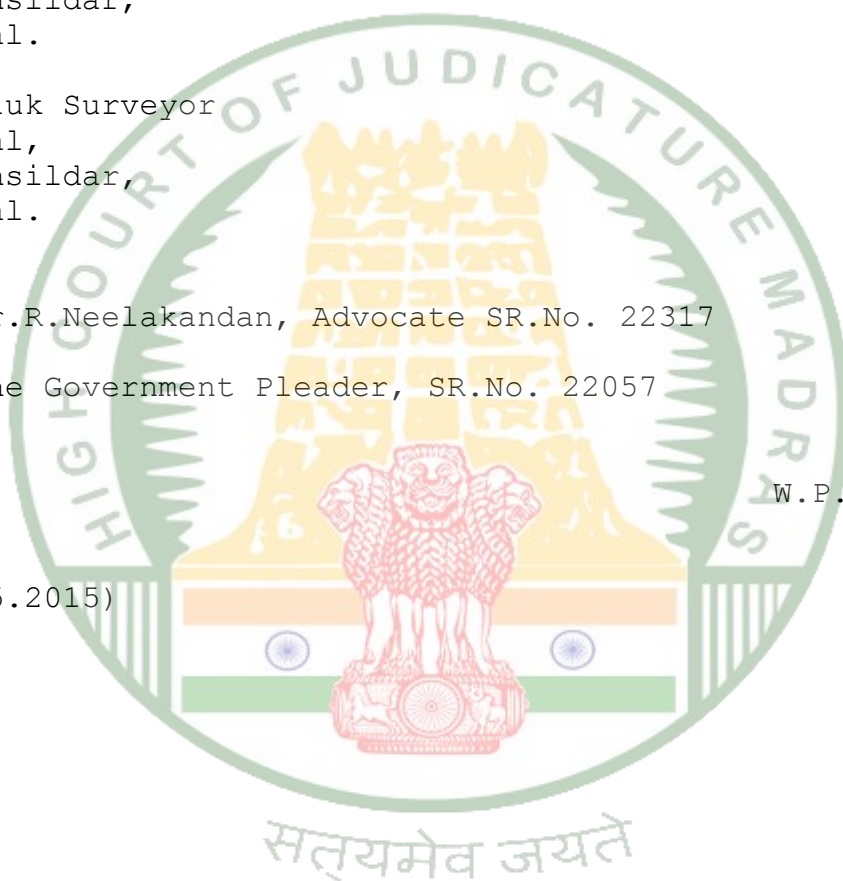
3. The Taluk Surveyor
Namakkal,
O/o Tahsildar,
Namakkal.

1 CC to Mr.R.Neelakandan, Advocate SR.No. 22317

1 CC to the Government Pleader, SR.No. 22057

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KK (CO)
PSI (11.05.2015)



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