

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.8497 of 2015 and
M.P.No.1 of 2015

R.Rajendran

... Petitioner

vs.

1. The Assistant Director,
Ex-Service man Welfare,
Tambaram, Chennai - 600 045

2. The District Collector,
Chengalpattu District,
Kanchipuram

3. The Tahsildar
Tambaram,
Chennai - 600 045

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus directing the 1st respondent herein to consider the petitioner representation dated 25.11.2014 to re-allot the said vacant land in favour of the petitioner, which was previously allotted to the petitioner's father consequently direct the respondents 2 and 3 not to disturb the petitioner's peaceful possession and enjoyment of the vacant land situated at Pozhichalur Village, Comprised in Survey No.288 in so far as the petitioner share as per settlement and dispose the same on merits.

For Petitioner : Mr.I.Jayaseelan

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.I.Jayaseelan, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for respondents and perused the materials placed on record. With the consent on either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for a issuance of Writ of Mandamus directing the 1st respondent herein to consider the petitioner's representation dated 25.11.2014 to re-allot the said vacant land in favour of the petitioner, which was previously allotted to the petitioner's father consequently direct the respondents 2 and 3 not to disturb the petitioner's peaceful possession and enjoyment of the vacant land situated at Pozhichalur Village, Comprised in Survey No.288 in so far as the petitioner share as per settlement and dispose the same on merits.

3. The petitioner is the son of ex-service man and now seeks for a direction to allot a particular property, which according to them they are in possession.

4.Admittedly, during the life time of the petitioner's father as ex-service man, the land was never allotted by the Government. There is no semblance of legal right vested upon the petitioner that he has to be allotted with the said property.

In the light of the above facts, the Writ petition is misconceived and accordingly, the same is dismissed. Consequently connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd
To

1. The Assistant Director,
Ex-Service man Welfare,
Tambaram, Chennai - 600 045

2. The District Collector,
Chengalpattu District,
Kanchipuram

3. The Tahsildar
Tambaram,
Chennai - 600 045

+ 1 cc to Mr.I. Jayaseelan, Advocate SR.16706

+ 1 cc Government Pleader Sr.16978

MSM(CO)
EU 08.04.2015

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