

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 6-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.9899 of 2015

R.Ganesan

...Petitioner

vs

1. The District Collector
Vellore District
Vellore
2. The Sub Registrar
Sub-Registrar's Office
Kaniyambadi, Vellore District

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representation dated 1.9.2014, made by the petitioner to the respondents and change the classification of 29 cents in Survey No.394/10C1, Nanjukondapuram Village, Vellore District, as agricultural land in the Guideline Register.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

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

2.Mr.R.A.S.Senthilvel, learned Additional Government Pleader, accepts notice for the respondents.

3.The petitioner claims that his father had purchased an extent of 33 cents in Survey No.394/10C1 situate at Nanjukondapuram Village, Kathalampattu, Madura, Vellore Taluk and has also been issued with patta and chitta and he put up a house in 4 cents of land during the year 1981 and used the remaining extent of 29 cents of land for agricultural purposes. The petitioner would further state that after the demise of his father, a joint patta has been issued in

the name of his mother, brothers and himself and all of them being ex-servicemen, settled in the said village. The petitioner as well as his mother and brothers, had decided to sell the remaining extent of lands and approached the second respondent for ascertaining the guideline value and as per the information received from the Public Information Officer, attached to the Office of the District Registrar, Vellore 1, the lands are classified as non-agricultural lands and consequently, the guideline value has increased. The petitioner, in this regard, has submitted a representation dated 1.9.2014, to the first respondent stating among other things, that the remaining lands, which are used for agricultural purposes, cannot be considered as lands meant for non-agricultural purposes and therefore, the guideline value fixed on that basis, is unsustainable and also made an alternate plea that the lands in question, can be taken over by the Government and they may be paid adequate compensation also. The grievance now expressed by the petitioner, is that though the representation was received by the Office of the first respondent on that date itself, he has not been favoured with any response and therefore, came forward to file this writ petition.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the representation, directs the first respondent to consider and dispose of the representation dated 1.9.2014, submitted by the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and it is also open to the petitioner to submit a further representation enclosing a copy of his earlier representation dated 1.9.2014, to the first respondent, who shall also take it into consideration and pass orders in accordance with law. The writ petition accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar (J)

//True Copy//

nsv

To

1. The District Collector
Vellore District, Vellore

2. The Sub Registrar
Sub-Registrar's Office
Kaniyambadi, Vellore District

1 CC to Mr.R.Subramanian, Advocate SR.No. 18955

1 CC to the Government Pleader, SR.No. 19002

W.P.No.9899 of 2015

KK (CO)
PSI (16.04.2015)



WEB COPY