

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.9607 of 2014  
and  
W.M.P.No.11022 of 2016

A.Jayarani

... Petitioner

-Vs-

1. The State of Tamil Nadu,  
rep.by the Collector,  
Thiruvannamalai District,  
Thiruvannamalai,  
PIN-606 604.
2. The Tahsildar,  
Polur Taluk, Polur,  
Thiruvannamalai District.
3. Muthammal
4. Velu
5. Palani  
(respondents 3 to 5 are residing  
at Idaiyankulathur, Polur Taluk,  
Thiruvannamalai District,  
PIN-606 801.)

... Respondents

Petition under Article 226 of the Constitution of India, for issuance of a writ of mandamus directing the first respondent to recover the land from the respondents 3 to 5 and re-convey the same to the petitioner for which the petitioner has made a representation dated 30.09.2013 to the first respondent and marked copy to the second respondent.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.R.M.Muthukumar,  
Government Advocate  
for R1 and R2

Mr.A.Bharathi for R3 to R5

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the first respondent to recover the land from the respondents 3 to 5 and re-convey the same to the petitioner for which the petitioner has made a representation dated 30.09.2013 to the first respondent.

2.It is stated in the affidavit filed in support of this writ petition that the petitioner's family owns land measuring about 4 acres and 50 cents bearing S.Nos.136/1 and 136/2 in Idayankulathur Village, Polur Taluk and the same is their ancestral property. For re-conveying the said land in favour of the petitioner, the petitioner made a representation dated 30.09.2013 to the first respondent and the same is said to be pending.

3.A counter affidavit has been filed on behalf of the second respondent with regard to the nature of the said land, stating that it is a panchami land.

4.The learned counsel appearing for the respondents 3 to 5 submitted that the respondents 3 to 5 would like to place relevant materials before the authorities concerned in this regard.

5.Heard the learned counsel on either side.

6.Taking into consideration the facts and circumstances of the case, this Court directs the first respondent to consider the representation of the petitioner dated 30.09.2013 and conduct proper enquiry, after issuing notice to the petitioner as well as the respondents 3 to 5, hear them in detail, peruse all the relevant materials and pass appropriate orders on the representation, only on merits. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

KM

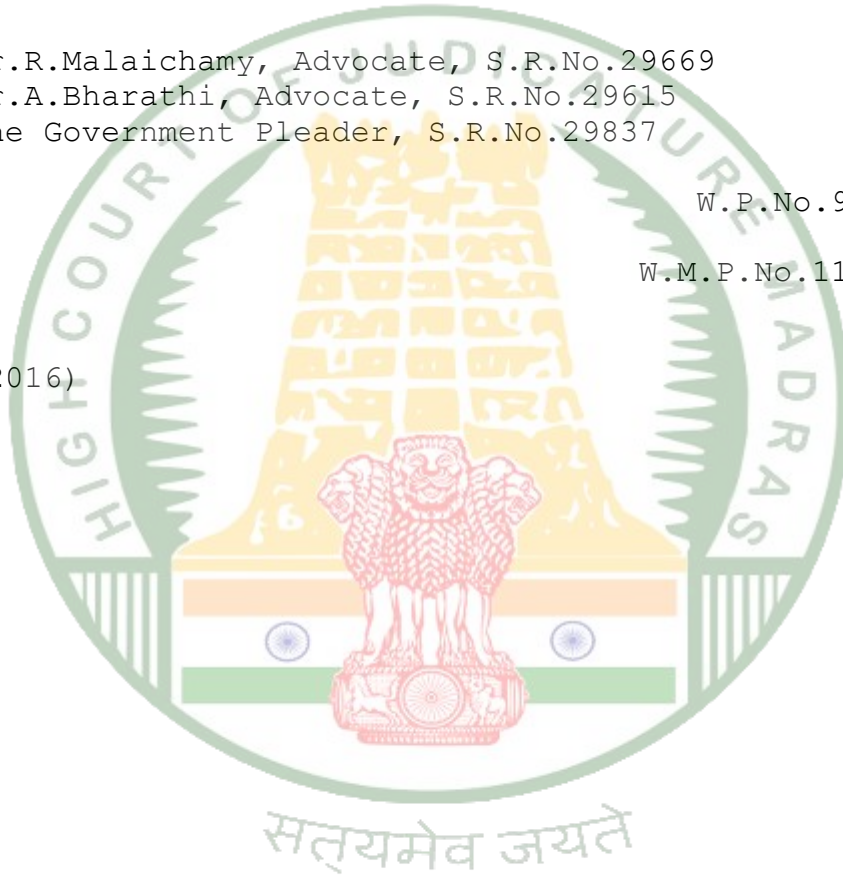
To

1. The District Collector,  
Thiruvannamalai District,  
Thiruvannamalai,  
PIN-606 604.
2. The Tahsildar,  
Polur Taluk, Polur,  
Thiruvannamalai District.

+1cc to Mr.R.Malaichamy, Advocate, S.R.No.29669  
+1cc to Mr.A.Bharathi, Advocate, S.R.No.29615  
+1cc to the Government Pleader, S.R.No.29837

W.P.No.9607 of 2014  
and  
W.M.P.No.11022 of 2016

RK(CO)  
CA(14/06/2016)



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