

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15259 of 2016

P.Ramasamy

... Petitioner

vs.

- 1.The Principal Secretary to Government,
Revenue Department,
Fort St. George, Chennai- 600 009.
 - 2.The Principal Secretary and
the Commissioner of Land Administration Department,
Ezhilagam, Chennai 600 005.
 - 3.The District Collector,
Tiruvallur District, Tiruvallur 602 001.
 - 4.The District Revenue Officer,
Tiruvallur District, Tiruvallur 602 001.
 - 5.The Revenue Divisional Officer,
Ambattur Division, Anna Nagar West,
Chennai 600 101.
 - 6.The Tahsildar,
Ambattur Taluk,
Ambattur,
Chennai 600 053.
- ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to dispose of petitioner's representation dated 17.11.2011 in accordance with law and within a time frame as may be fixed by this Court.

For Petitioner : Dr.P.Vasudevan

For Respondents : Mrs.M.E.Rani Selvam

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to dispose of his representation dated 17.11.2011 in accordance with law, within a time frame as may be fixed by this Court.

2. It is the case of the petitioner that he is a differently abled person and is also a senior citizen aged about 73 years. He is running a painting shop in the Government lease land classified as 'Dry Assessed Waste Land' measuring to an extent of 240 sq.ft. in S.No.320/2C of Padi Village, Ambattur Taluk, Tiruvallur District. The income earned through the said shop is the only source of income for the petitioner's livelihood and also for his family members.

3. Now, the grievance of the petitioner is that he made a representation dated 17.11.2011 to the first respondent through the State Commissioner for Differently Abled, requesting to assign the land, which is leased to him by the Government, at concessional rate as envisaged under Section 43 of the Persons with Disabilities (Equal opportunities, Protection of rights and Full Participation) Act, 1995. As there was no response, he sent a reminder letter dated 17.10.2012 to the first respondent, which was followed by another letter dated 22.03.2015 to the third respondent. Even thereafter, there was no response with regard to his request. Hence, he made a fresh representation dated 15.02.2016 to the first respondent, copy of which is marked to other respondents to consider his request for assignment of the leased land in his favour. However, till date, no order has been passed by any respondents. Therefore, the petitioner has filed the present petition for the above stated relief.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents.

5. Considering the facts and circumstances of the case, this Court directs the first respondent to consider the petitioner's representation dated 17.11.2011 by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the first respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Revenue Department,
Fort St. George, Chennai- 600 009.
- 2.The Principal Secretary and
the Commissioner of Land Administration Department,
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- 3.The District Collector,
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Ambattur Division, Anna Nagar (West), Chennai 600 101.
- 6.The Tahsildar, Ambattur Taluk, Ambattur,
Chennai 600 053.

+1cc to the Government Pleader Sr.25828

+1cc to P.Vasudevan, Advocate sr.26991

W.P.No.15259 of 2016

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srg 28/04/2016

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