

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM

THE HON'BLE Mr. JUSTICE **M.M.SUNDRESH**

W.P.No.39310 of 2015

M/s.Bojaraj Textile Mills Ltd.
Rep by its Director G.Baskaran,
Cumbam Road,
No.22, Palanichettipatti, Theni 625 531 .. Petitioner

Vs.

- 1 The Secretary to Government
Revenue Department (Land Administration)
Fort ST. George Chennai 9
- 2 The Commissioner of Land
Administration Chepauk Chennai 5
- 3 The District Collector
Collector Office, Theni .. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider the representation of the petitioner dt 20.8.2013 within a time frame.

For Petitioner .. Mr.N.R.Chandran, Sr, counsel for
Mr. R.Kannan

For R1 to R3 .. Mr.V.Subbiah, Spl.G.P

ORDER

On 20.8.2013, the petitioner made a representation to first respondent seeking permission to sell a portion of the assigned land. In the said representation, the petitioner had stated that in pursuant to the deed of assignment dated 23.11.1982, patta was transferred in his favour. As the petitioner mill is an old one, upgradation is necessary by bringing forth a new technology. Since there is no other way to augment revenue, it is imperative to effect the sale of the portion of a land.

2. The aforesaid representation was followed by another one dated 06.11.2013. After considering the letter of the Revenue Divisional Officer, dated 21.01.2014, the third respondent has sent his recommendation to second respondent in Na.Ka.No.30691/2013/D4, dated 06.03.2014. Though more than a year has elapsed, no action is forthcoming and hence, the petitioner is before this Court.

3. The learned senior counsel appearing for the petitioner submitted that the first respondent is the competent authority to take a decision. More than two years have elapsed after the request made by the petitioner. Therefore, it would be appropriate to direct the first

respondent to take a decision within a reasonable time.

4. The learned Special Government Pleader submitted that the second respondent would send its recommendation in turn if not done already to first respondent, who would pass appropriate orders within a reasonable time.

5. Taking into consideration of the pendency of the recommendation made by third respondent for more than 1 1/2 years, a direction is issued to second respondent to forward its recommendation to first respondent if not already done within a period of six weeks from the date of receipt of a copy of this order. Thereafter, the first respondent shall pass appropriate final order within a period of six weeks.

6. Writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

04.01.2016

Index:Yes/No
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Note: Issue order copy on or before 06.01.2016

M.M.SUNDRESH, J.

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To

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