

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17530 of 2016

Usha

... Petitioner

Vs

1. The District Collector,
Thiruvannamalai District.

2. The Tahsildhar,
Kalasapakkam Taluk,
Thiruvannamalai District.

3. Mrs.Alliammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus to direct the first respondent to consider the petitioner's representation, dated 23.03.2016, and further, to direct the respondents 1 and 2 to enquire into the petitioner's case in detail and to take appropriate action to hand over the petitioner's house allotted to her by the Government at the earliest.

For Petitioner : Mr.S.Silambu Selvan

For Respondents 1 and 2 : Mr.K.Thangapandi
Government Advocate

ORDER

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner claims that she is a deserted woman, and originally, she along with her husband, put up a thatched shed in grama natham land, comprised in S.No.9/48, admeasuring 0.01.0, sq.mts, and on account of difference of opinion, her husband had deserted her. The petitioner would further state that, she was also issued with a patta, and also provided with electricity service connection in respect of aforesaid property, and she is in lawful possession and enjoyment of the same. However, the third respondent, without any right, whatsoever, had committed trespass and dispossessed her, and in this regard,

the petitioner has submitted a representation, dated 23.03.2016, to the first respondent, for taking appropriate action. Since no order has been passed, she has come forward to file this Writ Petition.

3. Heard Mr.S.Silambu Selvan, the learned counsel appearing for the petitioner, and Mr.K.Thangapandi, learned Government Advocate, who accepts notice on behalf of respondents 1 and 2.

4. The petitioner, though has prayed for a larger relief, this Court, in the light of the facts and circumstances of the case, and without going into the merits of the claim made by the petitioner, either in the representation, or in the Writ Petition, directs the first respondent to forward the representation to the second respondent for conducting proper enquiry, and the said Official, after concluding the enquiry, shall furnish a report to the first respondent, who, on receipt of the same, shall put on notice to the petitioner as well as the third respondent, and dispose of the representation, and dispose of the claim made by the petitioner, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner as well as the third respondent.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sd

To

1. The District Collector,
Thiruvannamalai District.
2. The Tahsildhar,
Kalasapakkam Taluk,
Thiruvannamalai District.

+1cc to Mr.S.Silambu Selvan, Advocate, S.R.No.29539

+1cc to the Government Pleader, S.R.No.29205

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GJ(CO)

CA(10/06/2016)