

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18644/2016

M.Murugesan

..Petitioner

-Versus-

1 The District Collector  
O/o.The District Collector  
Namakkal Post, Namakkal District.

2 The Tahsildar  
Namakkal Taluk Office  
Namakkal Post, Namakkal District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2<sup>nd</sup> respondent herein to dispose the representation dated 30.12.2014 submitted by the writ petitioner with reference to the proceeding Oo.Mu.No.2972/2015/L1 dated 20.02.2015 so as to enable the writ petitioner to receive the house site revenue patta for Plot No.25, situated at Lathuvadi village, Namakkal Taluk and District, already assigned and allotted under Proceeding No.Na.Ka.No.20092/2009/P3 dated 21.07.2010 of the 2<sup>nd</sup> respondent within the stipulated period prescribed by this Court.

For Petitioner : Mr.G.Thangavel

For R1&R2 : Mr.P.Sanjay Gandhi,  
Addl.Govt.Pleader

ORDER

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

2 The petitioner would state that he was enrolled as Airman on 17.01.1964 in Indian Air Force and participated in Indo-Pakistan War in the year 1965-1971 and he was allowed to retire on 01.02.1990, after putting in 26 yers of glorious and unblemished service. The petitioner got registered as an Ex-

serviceman and was issued with ID Card No.6472596 dated 20.08.2014. The petitioner had applied for allotment of a house site under the Ex-Servicemen Category and the Tahsildar, Namakkal has conducted an enquiry for the purpose of identifying the eligible persons. The 2<sup>nd</sup> respondent, based on the enquiry, vide proceedings dated 21.07.2010, issued the proceeding by allotting the house site and the name of the petitioner was found place in the list in Sl.No.23 and according to the petitioner, he is entitled to be allotted Plot No.25 as per the layour under Survey No.115-1, Lathuvadi Village, Namakkal Taluk and District. The petitioner and other eligible persons were called upon to appear before the jurisdictional Tahsildar on 27.07.2010 at 11.00 a.m. and since the petitioner, being a senior citizen and is undergoing treatment, he could be able to appear before the 2<sup>nd</sup> respondent and prayed for some other date to make his appearance. The petitioner, in this regard, has repeatedly corresponding with the respondents 1 and 2, pointing out that he is found to be eligible and as such, he is entitled to get allotment as well as the revenue patta for Plot No.25. He also submitted a representation dated 30.12.2014 to the respondents and the 1<sup>st</sup> respondent vide proceedings dated 20.02.2015, has also directed the 2<sup>nd</sup> respondent to act on the representation of the petitioner and since no response is forthcoming, the petitioner has filed the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the 2<sup>nd</sup> respondent to consider the petitioner's representation dated 30.12.2014 on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner by fixing a date and informing him and dispose of the same on or before 06.07.2016 and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of with the above direction. No costs.

AP

Sd/-  
Assistant Registrar

//True Copy//

To

1 The District Collector  
O/o.The District Collector  
Namakkal Post, Namakkal District.

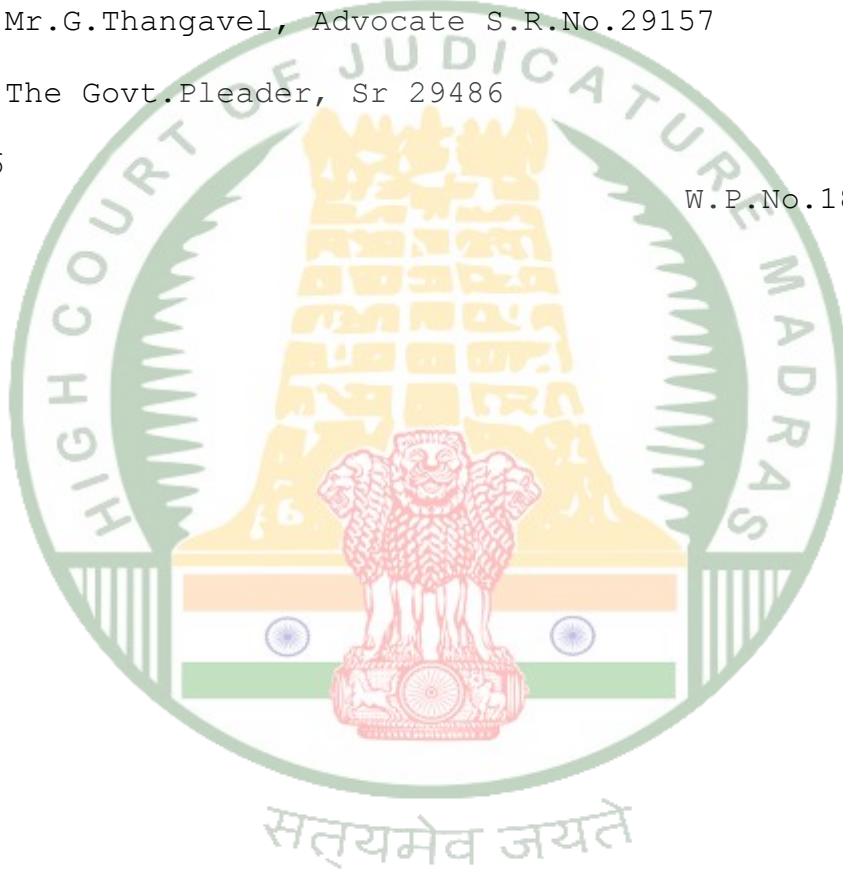
2 The Tahsildar  
Namakkal Taluk Office  
Namakkal Post, Namakkal District.

+ 1 cc to Mr.G.Thangavel, Advocate S.R.No.29157

+ 1 cc to The Govt.Pleader, Sr 29486

KR/10/6/16

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