

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18756 of 2016
and
W.M.P.No.16371 of 2016

P.Dharman

... Petitioner

Vs.

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

3.The Tahsildar,
Dharapuram Taluk,
Dharapuram, Tiruppur District.

4.Radhakrishnan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus forbearing the respondents 1 to 3 from allowing the 4th respondent to construct the commercial complex in Natham Poromboke Lands situated in S.Nos.596/19 and 596/20 in Alangiyam Village, Dharapuram Taluk, Tiruppur District.

For Petitioner : Miss.I.Karhtiga

For Respondents: Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

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

2. Miss.I.Karthiga, learned counsel appearing for the petitioner has drawn the attention of this Court to the affidavit filed in support of this petition and would contend that the grand father of the 4th respondent was already issued with patta in respect of lands therein in Survey No. 596/19 and 596/20 in Alangiyam Village, Dharapuram Taluk, Tiruppur District and subsequently, he managed to get patta in favour of his grand son viz., the fourth respondent and taking advantage of the same, the 4th respondent is putting up a super structure. The grievance expressed by the petitioner is that though he is landless poor entitled to get a free house site

as well as the patta, allotment has been made in favour of the person, who are having larger land and in this regard, he has submitted a representation dated 18.04.2016 to respondents 1 and 2 and since no order has been passed, came forward to file this writ petition.

4. Heard the submission of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents, would submit that admittedly the copy of the patta alleged to have been issued in favour of the 4th respondent has not been enclosed in the typed set of documents.

5. Though the petitioner prays for the larger relief, this Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner either in the writ petition or in the representation, permits the petitioner to submit one more representation to the third respondent within a period of two weeks from the date of receipt of a copy of this order and the third respondent, on receipt of the same, is directed to consider the said representation in accordance with law, after putting on notice the fourth respondent and pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the fourth respondent.

6. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

3.The Tahsildar,
Dharapuram Taluk,
Dharapuram, Tiruppur District.

Writ Petition No.18756 of 2016

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