

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.25985 of 2015

&

M.P.No.1 of 2015

S.Krishnamoorthi

.. Petitioner

Vs.

1. The District Collector
Salem District
Salem

2.The Sub-Collector
Mettur
Salem District

3.The Tahsildar
Omalur
Salem District

4.The President
Veppilai Panchayat
Omalur Taluk
Salem District

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents to grant to the petitioner long lease of land in S.No.99 in Veppilai Village, Omalur Taluk, Salem District for using it as approach to the quarries in S.Nos.246/1 to 246/3,517 and 521 as per the petitioner's representation dated 15.05.2015 and the first respondent's communication dated 02.06.2015.

For Petitioner : Mr.R.Meenal

For Respondents : Mr.S.Diwakar
Special Government Pleader

O R D E R

Heard Mr.R.Meenal, learned counsel for the petitioner and Mr.S.Diwakar, learned Special Government Pleader appearing for the respondents.

2. This writ petition has been filed seeking a direction to the respondent to consider the petitioner's representation dated 15.05.2015 and grant long term lease of the land in S.No.99, Veppilai Village, Omalur Taluk, Salem District to reach the quarries in S.Nos.246/1 to 246/3,517 and 521.

3. It appears that the petitioner has been utilizing the road to carry the quarried materials, which are rough stone jellies. The counter affidavit filed by the respondents 1 to 3 shows that the petitioner's application is under active consideration and the Tahsildar, Omalur has stated that it will be decided on merits at the earliest.

4. The learned Additional Government Pleader, on instructions, submitted that Omlur Taluk has been recently bifurcated and a new Taluk called 'Kadayampatty' has been formed and the subject area falls within the jurisdiction of the Tahsildar, Kadayampatty and the said Tahsildar may be granted reasonable time to consider the petitioner's representation.

5. In the light of the stand taken by the respondents, there will be direction to the Tahsildar, Kayampatti Taluk, Salem District to consider the petitioner's representation dated 15.05.2015 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to forward a copy of the representation as well as copy of the proceedings of the District Collector dated 02.06.2015 to the Tahsildar, Kadayampatti Taluk along with the copy of this order.

The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

gpa

s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Salem District, Salem

2.The Sub-Collector
Mettur
Salem District

3.The Tahsildar
Omalur
Salem District

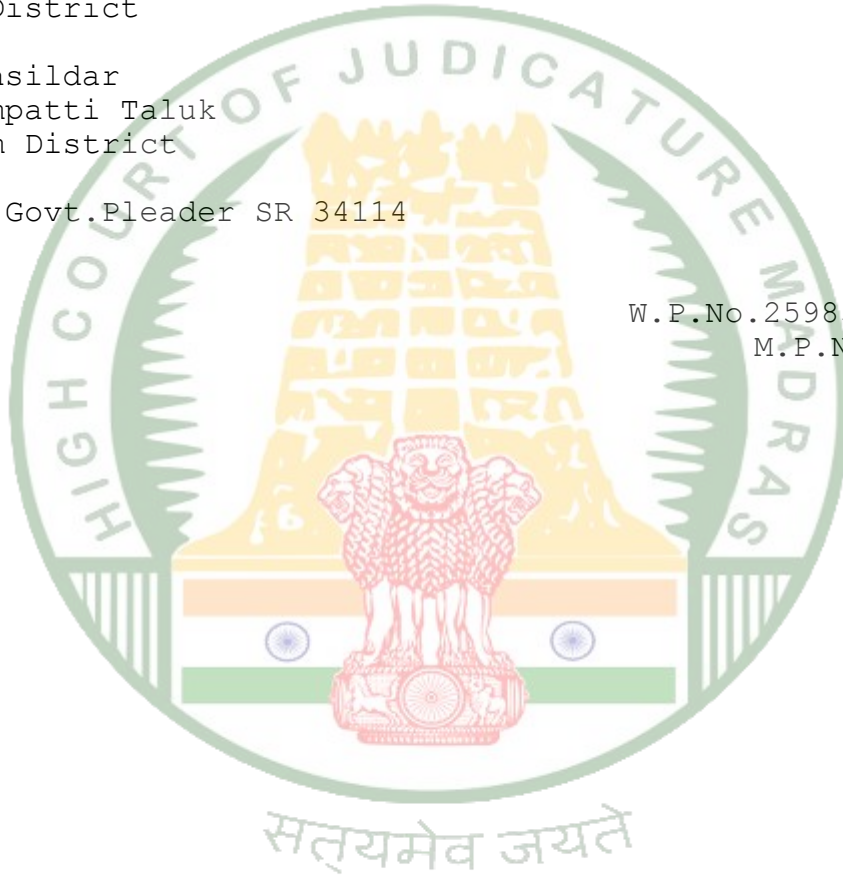
4.The President
Veppilai Panchayat
Omalur Taluk
Salem District

5. The Tahsildar
Kayampatti Taluk
Salem District

+ 1 cc to Govt.Pleader SR 34114

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