

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25923/2016 & WMP.No.22168/2016

R.Palani

..

Petitioner

Versus

1.The Revenue Divisional Officer
Dharapuram, Tiruppur District.

2.The Assistant Commissioner
Land Reforms, Erode. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus forbearing the respondents from vacating the petitioner from the assigned land situted in S.No.525/2 Moolanur village, Dharapuram Taluk, Tiruppur District as assigned by the 2nd respondent in his proceedings No.MR.4/362/17.70/G2, dated 22.07.1983.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.Govindasamy, Spl.GP

ORDER

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

2 The petitioner claims that he belongs to Scheduled Caste community and eking out his livelihood by doing coolie work and his father, viz., Raman, vide proceedings dated 22.07.1983 in MR.4/362/17.70/G2, was given assignment order and obtained "F" patta on 07.08.1990 and was in possession and enjoyment of the same and after his demise, the petitioner claims to be in possession and enjoyment of the said land and also carrying on agricultural operations. According to the petitioner, the officials attached to the office of the respondents 1 and 2, came to his field/land on 05.07.2016 and threatened the petitioner to dispossess him on the pretext that it comes within the ceiling limits in terms of the Land Reforms Act. The petitioner in this regard, has submitted a representation dated 14.07.2016 to the 1st respondent and despite that, threat of dispossession

continues and hence, the petitioner came forward to file the present writ petition.

3 Heard the submissions of Mr.C.Prakasam, learned counsel for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in his representation, directs the 1st respondent to consider and dispose of the petitioner's representation dated 14.07.2016 in accordance with law, after putting on notice the person/s concerned and pass orders 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 person/s concerned and till then, shall not take any precipitative steps also that and the petitioner shall not create any third party rights in respect of the land in question.

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

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

AP

To

1.The Revenue Divisional Officer
Dharapuram, Tiruppur District.

2.The Assistant Commissioner
Land Reforms, Erode.

+ 1 CC to Mr.C.Prakasam, Advocate SR NO 42566

+ 1 CC to Govt. Pleader SR NO 42400

W.P.No.25923/2016

CA[CO]
GP/