

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.4321 of 2016

V.Sathish Kumar

.. Petitioner

Versus

The Secretary,  
Government of Tamil Nadu,  
Housing and Urban Development,  
Fort St. George,  
Chennai-600 009.

.. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondent to consider petitioner's representation dated 05.01.2016.

For Petitioner : Mr.Thanjai P.N.Chezian

For Respondent : Mr.R.Rajeswaran  
Special Govt. Pleader

ORDER

Heard Mr.Thanjai P.N.Chezian, learned counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader, accepting notice on behalf of respondent. By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to consider his representation dated 05.01.2016. By the said representation, the petitioner seeks for re-conveyance of the property, which was acquired by the Government.

3.It is stated that the said representation is pending before the respondent. The ground on which, the petitioner seeks for re-conveyance is by stating that the land has not been utilized for the purpose for which it was acquired. However, the said issue cannot be gone into at this juncture, since the prayer sought for by the petitioner is only for a limited relief to consider his representation. That apart, the petitioner's father has also failed in the challenge to

the land acquisition proceedings. Hence, at this juncture, no positive direction can be granted to the petitioner.

4.However, taking note of the fact that a request has been made and it is pending before the respondent, there will be a direction to the respondent to consider the petitioner's representation dated 05.01.2016 and pass orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of the representation along with copy of this order and forward the same to the respondent. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner and it is always open to the respondent to proceed in accordance with law.

The Writ Petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

r n s / r p a

To  
The Secretary,  
Government of Tamil Nadu,  
Housing and Urban Development,  
Fort St. George,  
Chennai-600 009.

+1 cc to Government Pleader, sr.11369  
+1 cc to Mr.Thanjai P.N.Chezian, Advocate, sr.11216

sv co  
kra 03.03.2016

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