

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5269 of 2016

Thenmozhi

..Petitioner

Vs.

1.The District Collector,  
Kanchipuram District,  
Kanchipuram.

2.The Tahsildar  
Sozhinganallur Taluk Office  
Sozhinganallur  
Chennai - 600 057.

..Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent namely the District Collector, Kanchipuram District, Kanchipuram to consider and pass orders on the representation submitted by the petitioner on 21.12.2015.

For Petitioner : Mr.A.G.Rajan

For Respondents : Mr.M.Dig Vijaya Pandian  
Additional Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the first respondent namely the District Collector, Kanchipuram District, Kanchipuram to consider and pass orders on the representation submitted by the petitioner on 21.12.2015.

3.The petitioner would state that her husband namely, Gopinath died on 28.06.2010 leaving behind her, and their only son Tharunkrishna as his legal heirs. The petitioner would further state that her father-in-law served as a soldier in the Indian national Army without any blemish to his record and his regimental number is 85057 and his rank was L/Naik and taking into consideration his remarkable service in the Army, the

Government of Tamilnadu allotted him five acres of dry land comprised in Survey No.402 in Semmancherry village, Sozhanginallur Taluk, Kanchipuram District in the year 1973 and he took possession of the land and he had been cultivating the same for his livelihood. Whiles, he died on 22.09.1982 leaving behind his wife Subathra and his son/ the petitioner's husband as legal heirs. The said Subathra and the petitioner's husband died on 12.05.2009 and 28.06.2010 respectively, and the above said land is now lying vacant since there is no other person to take care of the land. Hence, the petitioner made a representation dated 21.12.2015 to make proper enquiry with regard to the land allotted to her father-in-law with an extent of five acres comprised in Survey No.402 in Semmancherry Village, Sozhanginallur Taluk, Kanchipuram District and issue patta for the same in her name, but till date the said representation has not been considered. Hence, this petition.

4. Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

5. Considering the submissions made on either side and without going into the merits of the claim projected by the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 21.12.2015 on merits and in accordance with law and pass appropriate orders, after affording opportunity of personal hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-  
Asst. Registrar

/true copy/

Sub Asst. Registrar

To

1. The District Collector, Kanchipuram District,  
Kanchipuram.

2. The Tahsildar, Sozhanginallur Taluk Office  
Sozhanginallur, Chennai - 600 057.

+ 1 cc to The Govt. Pleader, Sr 9385

+ 1 cc to Mr. A. G. Rajan, Advocate Sr 9173

KR/24/2/16

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