



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.07.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.10164 of 2016

K.Syed Mohamed

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Tuticorin.

2.The Sub-Collector,
Tuticorin.

3.The Tasildar,
Tasildar Office,
Tuticorin.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd Respondent to dispose the proceedings on the basis of the petitioner's representation dated 02.12.2014 within a time frame fixed by this Hon'ble court.

For Petitioner
For Respondents

:No appearance
:Mr.J.Gunaseelan Muthiah
Government Advocate

O R D E R

It comes to be known from the contents of affidavit filed by the writ petitioner that the petitioner (being power agent) and his principals are the title holders of 1 acre 2 cents of land situate at Mappillaioorani, Tuticorin District, bearing Sy.No.154/3 and they are the descendants of one late Madasamy, S/o.Govindan, he held a patta in his favour bearing No.287.

2. The grievance of the petitioner is that when he verified all the records pertaining to the property in the aforesaid survey number, he observed that the UDR (Updating Registry Scheme) contained the name of a person other than the name of Madasamy and it was wrongfully mentioned as Mariammal. Therefore, he addressed a representation dated 02.12.2014 to the 2nd respondent/Sub Collector, Tuticorin, who in turn directed the third respondent/Tasildar, Tuticorin to conduct



an enquiry, based on his representation (as per memo No.O.Mu.(A1)/5400/2014, dated 16.12.2014.

3. Further, the third respondent, in compliance with the aforesaid direction, conducted a thorough enquiry and submitted his report before the second respondent/Sub-Collector, Tuticorin vide report No.Na.Ka/A2/17342/2014, dated 28.10.2015 for his final decision. As on date, the matter is pending awaiting the order of the second respondent and the same is pending ever since 28.10.2015. Hence, the petitioner is constrained to file the present writ petition.

4. In view of the fact that as on date, the subject matter in issue awaits the order of the 2nd respondent/Sub-Collector, Tuticorin and also this Court, taking note of a pivotal fact that the petitioner's representation dated 02.12.2014 is pending on the file of the 2nd respondent, simpliciter, without traversing upon the merits and contents of the representation of the petitioner, dated 02.12.2014 and also not delving deep into the same, in the interest of Justice and Fair Play, directs the second respondent/Sub Collector, Tuticorin, to look into the representation of the petitioner, dated 02.12.2014 and to pass a reasoned, speaking order on merits in the subject matter in issue (of course after affording necessary opportunity to the petitioner and others concerned, by following the principles of Natural Justice in true letter and spirit), within a period of four weeks from the date of receipt of a copy of this order. The petitioner is also directed to lend his assistance and unstinted co-operation to the second respondent/Sub-Collector, Tuticorin so as to enable him to dispose of his representation dated 02.12.2014 in a complete and comprehensive manner.

5. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
District Collectorate,
Tuticorin.



2.The Sub-Collector,
Tuticorin.

3.The Tasildar,
Tasildar Office,
Tuticorin.

+1cc to special Government Pleader sR.No.35017

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