



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 15.12.2016
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
W.P(MD)No.24009 of 2016

WEB COPY

P.S.Pandian

..Petitioner

Vs

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkarai Periyakulam,
Theni District.

3.The Tahsildar,
Theni,
Theni District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to consider and pass orders on the representation preferred by the Petitioner on 2.11.2016 and to restore the land in S.No.263, Onchampatti Village, Theni District allotted to the Petitioner's grand-father as Panchami land within the time frame specified by this Court.

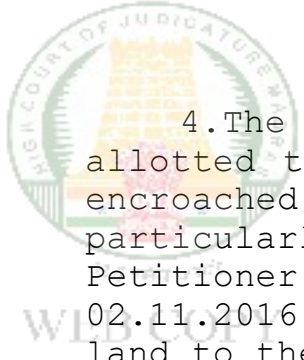
For Petitioner	:M/s.V.Nirmal Kumar
For Respondents	:Mr.T.S.Mohammed Mohideen Addl.Govt.Pleader

ORDER

The Petitioner seeks for a direction to the second respondent to consider his representation, wherein and whereby, he sought for restoration of the land at S.No.263, Onchampatti Village, Theni District allotted to the Petitioner's grand-father as Panchami land.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents;

3.By consent of both parties, the main Writ Petition is taken up for disposal at the admission stage itself.



4.The grievance of the Petitioner is that the said land allotted to the Petitioner's grand-father as Panchami land was encroached upon by some third party when they have no right, more particularly, when they are non-panchamas. Therefore, the Petitioner made a representation to the second respondent on 02.11.2016 seeking for action against those persons to restore the land to the Petitioner.

5.It is seen that the first respondent through communication, dated 11.01.2016 has already directed the Tahsildar, Theni District to take action as per the rules and inform the same to the Petitioner.

6.Considering all these aspects, without expressing any view on the merits of the claim made by the Petitioner, I only direct the third respondent to consider the representation of the Petitioner, dated 02.11.2016 and pass orders on the same, on merits and in accordance with law, also after hearing the parties, who are likely to be affected by such order. Such exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Theni District,Theni.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkarai Periyakulam,
Theni District.
- 3.The Tahsildar,
Theni,Theni District.

+1cc to Mr.V.Nirmal Kumar,Advocate Sr.No.81110
+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.81401

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15.12.2016