



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 02.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.9660 of 2016

1.S.Mahalingam
2.S.Somasundaram

..Petitioners

Vs.

1.The District Collector,
Office of the Madurai Collectorate,
Madurai District.

2.The Tahsildar,
Madurai North,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the Petitioners' representation dated 9.3.2016 within the time stipulated by this Court.

For Petitioner :M/s.K.R.Singaravadivel
For Respondents :Mr.S.Kumar
Addl.Govt.Pleader

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.It is the stand of the Petitioners that they belong to the Kurvavan community(Scheduled Caste) and their father Santhanam expired in the year 2007 and their grand-father Karuppannan expired 40 years back. Their grand-father during his life-time was in enjoyment of S.Nos.206/2A1, 206/2B, Kosakulam Pudur hamlet, Tallakulam Village, Madurai District. Moreover, from the year 1928, he was enjoying the property till his demise and thereafter, the Petitioners' father was enjoying the property and subsequently, they are enjoying the property.

4.The plea taken on behalf of the Petitioners is that for more than 88 years, they are enjoying the property beginning from their grand-father and their grand father and father fought against the Government with a view to obtain patta and now they have addressed representations to the respondents on 31.5.2013, 1.6.2015 and 9.3.2016 respectively. Unfortunately, the respondents have not taken any action in regard to the representations submitted by the Petitioners. Hence the Petitioners have filed the present Writ Petition.



5.The learned Additional Government Pleader appearing for the respondents informs this Court that within a period of four weeks, the authorities concerned would look into the representations of the Petitioners, dated 31.5.2013, 1.6.2015 and 9.3.2016.

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6.Hence this Court, in the interest of justice and equity, directs the second respondent/The Tahsildar, Madurai North, Madurai to look into the representations of the Petitioners, dated 31.5.2013, 1.6.2015 and 9.3.2016 and to pass a reasoned and speaking order, outlining the process of reasoning in an objective and dispassionate manner(of course after providing necessary opportunity to the Petitioners and others concerned, if any) by adhering to the principles of natural justice within a period of 14 days from the date of receipt of a copy of this order and do the needful in the subject- matter in issue. It is open to the Petitioners to produce/file necessary copies of relevant records before the second respondent/The Tahsildar, Madurai North, Madurai and if such relevant papers/records are produced/filed before the second respondent, then the second respondent is directed to look into it and peruse the same, in an objective and un-biased passion and to take a final call in the matter within the time adumbrated by this Court. The Petitioners are directed to lend a helping hand and co-operation/assistance to the second respondent/The Tahsildar, Madurai North, Madurai, so as to enable him to pass necessary orders in the subject-matter in issue.

7.With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The District Collector,
Office of the Madurai Collectorate,
Madurai District.

2.The Tahsildar,
Madurai North,
Madurai.

+1cc to M/s.K.R.Singaravadivel, Advocate in SR.27492

W.P (MD) No.9660 of 2016
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