

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9432 of 2017

P.Venkatesan

[Petitioner]

Vs

1. The District Collector,
Office of the District Collector,
Cuddalore district,
Cuddalore.
2. The Inspector,
Thiruvaduthurai Aadhinam,
Cuddalore District,
3. The Manager,
Thiruvaduthurai Aadhinam,
Cuddalore District.
4. Aruldas [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents herein to dispose the petitioner's representation dated 20.03.2017 within a stipulated time frame.

For Petitioner : Mrs.S.Kingston Jerold

For Respondents: Mr.S.N.Parthasarathy, GA (R1&2)

ORDER

Mr.S.N.Parthasarathy, learned Government Advocate, takes notice for the 1st and 2nd respondents.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 20.03.2017, within a time frame.

4. The learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated 20.03.2017, the 1st and 2nd respondents have not passed any order so far.

5. Mr.S.N.Parthasarathy, learned Government Advocate, appearing for the 1st and 2nd respondents submitted that the petitioner and the 4th respondent are sub-lessees under one Kamalakannan and Seetharaman. According to the learned Government Advocate, the said Kamalakannan and Seetharaman are the tenants under the Aadhinam. Now the petitioner has given a representation to the respondents 1 and 2 forbearing them from forming a lay out in the lands and changing the character of the land. The learned Government Advocate further submitted that the petitioner has no right to forbear the respondents 1 and 2 from taking any steps in a legal manner and he has also not made the lessee as respondent in the writ petition. In these circumstances, the petitioner has given a representation dated 20.03.2017 to the respondents 1 and 2 informing them that the 4th respondent Aruldass is taking steps to convert the property as lay out and sell it to various persons.

6. The learned counsel for the petitioner submitted that it would suffice if a direction is given to the respondents 1 and 2 to consider the petitioner's representation dated 20.03.2017 in accordance with law.

7. Having regard to the submissions made by the learned counsel on either side, I am of the view that the 1st and 2nd respondents may consider the petitioner's representation in accordance with law. However, this direction should not be taken as a positive direction given to the respondents 1 and 2 to accept the contention of the petitioner.

8. The respondents 1 and 2 are directed to consider the petitioner's representation dated 20.03.2017 and pass orders on merits and in accordance with law, within twelve weeks from the date of receipt of copy of this order.

With the above observation, the writ petition is disposed of . No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

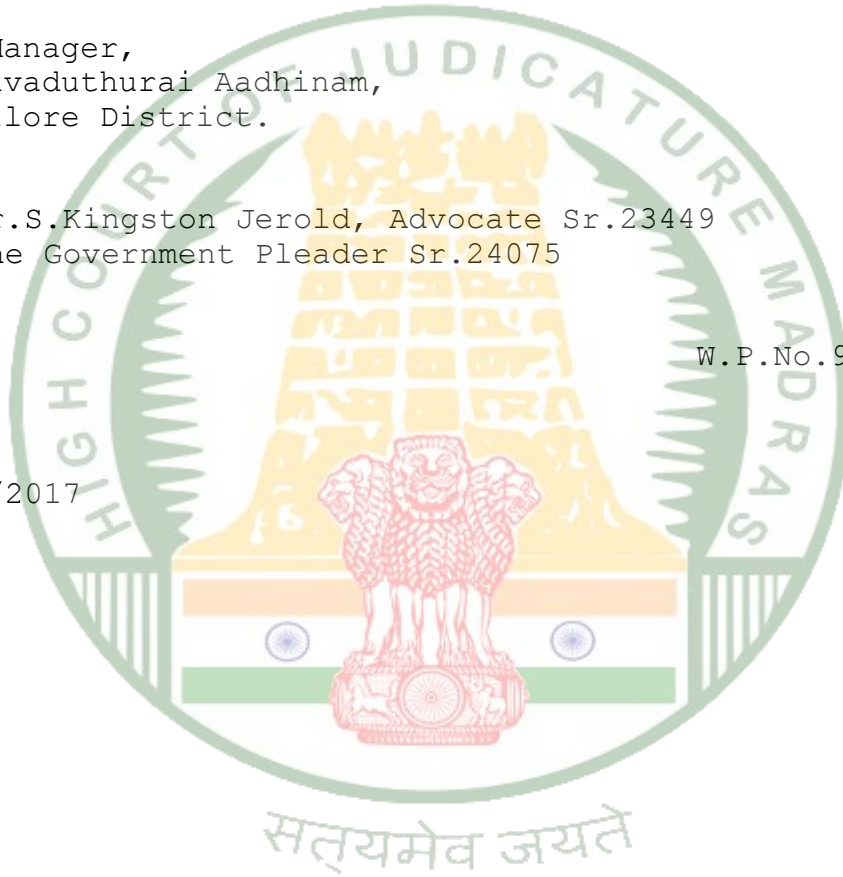
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To

1. The District Collector,
Office of the District Collector,
Cuddalore district,
Cuddalore.
2. The Inspector,
Thiruvaduthurai Aadhinam,
Cudallore District,
3. The Manager,
Thiruvaduthurai Aadhinam,
Cudallore District.

+lcc to Mr.S.Kingston Jerold, Advocate Sr.23449
+lcc to the Government Pleader Sr.24075

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kk[co]
srg 27/04/2017



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