

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9449 of 2017

Rina Majumdar

[Petitioner]

Vs

1 The District Collector
First Agraharam, Salem District- 636 001.

2 The Tahsildar
Yercaud Taluk, Salem District- 636 601.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to dispose of petitioners representation dated 02.02.2017 with regard to issuance of patta for the said property situated in Survey NO.55/3A with total extent of 0.25.0 hectares or 61.89 cents (26909.78 sq.ft) in NO.9 Assambur village East Sub-Registration District at Salem and (in petitioner land S.NO.49) leading from loop road upto this property and another road leading from panchayat road upto petitioners property (Road reversal in petitioner land S.NO.55/4A1).

For Petitioner : Mr.David Tyagaraj

For Respondents : Mr.A.N.Thambidurai, SGP

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the 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 2nd respondent to consider her representation dated 02.02.2017 with regard to the issuance of patta for the property situated in Survey NO.55/3A

with a total extent of 0.25.0 hectares or 61.89 cents (26909.78 sq.ft) in NO.9, Assambur Village, East Sub-Registration District at Salem and leading from loop road upto the property and another road leading from Panchayat road upto her property.

4. The learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated 02.02.2017, the 2nd respondent has not yet passed any order so far.

5. Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the respondents submitted that the 2nd respondent may be directed to consider the petitioner's representation and pass orders on merits and in accordance with law, within a time frame.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 02.02.2017, and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1 The District Collector
First Agraharam, Salem District- 636 001.

2 The Tahsildar
Yercaud Taluk, Salem District- 636 601.

+2cc to Mr.David Thyagaraj, Advocate, S.R.No.23431
+1cc to the Government Pleader, S.R.No.24077

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GJII(CO)
RS(24/04/2017)