

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.25930 of 2014 and
M.P.Nos.1 and 2 of 2014

K.Pandurangan

... Petitioner

-Vs-

1. The Commissioner,
Thiruvallur Municipality,
Thiruvallur District.

2. The Tahsildar,
Thiruvallur Taluk and District.

3. The District Collector,
Tiruvallur District.
(Respondent No.3 suo-motu impleaded
as per this order)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the first respondent passed in Na.Ka.No.0447/2014/F1 dated 10.9.2014 and quash the same and to direct the respondents not to evict the petitioner in respect of land in Survey No.21/5, Perumbakkam village, Tiruvallur Taluk and District.

For Petitioner : Mr.M.S.Subramanian

For Respondent : Mr.P.Srinivas for R1
Mr.R.Vijayakumar
Additional Government Pleader
for R2 & R3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks to impugn the order passed by the first respondent dated 10.09.2014 in respect of the land in S.No.21/5, Perumbakkam village, Tiruvallur Taluk and District, which is a Government poramboke land and sought to be annexed by the petitioner with his land.

2. It is the case of the petitioner that he had submitted an application for assignment dated 18.02.2014 to the District Collector, Tiruvallur, whereby he has expressed his willingness to purchase the land at the market value. The petitioner states that no decision has been rendered on his application.

3. We may note that in so far as the impugned order is concerned, undisputedly, it is an appealable order and it is for the petitioner to take a recourse of the remedy of appeal and thus, there is no question of interfering with that order in the present proceedings.

4. We are of the view, the only direction to be passed is that the assignment application of the petitioner be considered by the District Collector, Tiruvallur within a period of one month from the date of receipt of the copy of this order.

5. Since the District Collector, Tiruvallur has not been impleaded as respondent, we implead the District Collector, Tiruvallur as respondent No.3. Memo of parties be amended accordingly. Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice for the newly impleaded respondent No.3.

6. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2014 are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

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To

Sub Assistant Registrar

1. The Commissioner,
Thiruvallur Municipality,
Thiruvallur District.
2. The Tahsildar,
Thiruvallur Taluk and District.
3. The District Collector,
Tiruvallur District.

+1cc to Mr.M.S.Subramanian, Advocate, S.R.No.3489
+1cc to Mr.P.Srinivas, Advocate, S.R.No.3710
+1cc to the Government Pleader, S.R.No.3761

W.P.No.25930 of 2014

UG(CO)
CA(01/02/2017)