

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED 20.03.2017****CORAM****THE HONOURABLE MR.JUSTICE V.PARTHIBAN****W.P(MD)No. 4413 of 2014**

Chinna thambi

: Petitioner

Vs.

1.The District Collector
Sivagangai
Sivagangai District.

2.The Tahsildar
Thiruppattur Taluk
Thiruppattur
Sivagangai District.

3.The Special Tasildar
(Adi-Dravidar Welfare)
Devakkottai
Sivagangai District.

4. Abdul Reguman

: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 1 to 3 to consider the dispose the petitioner's representation dated 21.01.2014 in accordance with law.

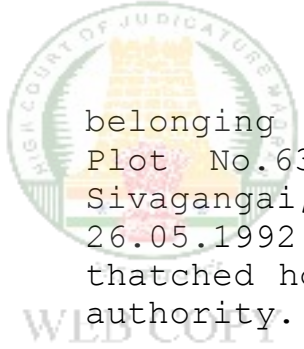
For Petitioner : Mr.D.Parishuthanathan

For Respondents : Mr.K.Mahesh Raja
Government Advocate
for R1 to R3
Mr.V.Kannan- For R4.

ORDER

The petitioner had approached this Court seeking a direction to the respondents 1 to 3 to consider and dispose of the petitioner's representation dated 21.01.2014 in accordance with law.

2. According to the petitioner, the petitioner belongs to Scheduled caste community and being qualified as a person



belonging to below the poverty line. The petitioner has assigned Plot No.63, by the Special Tahsildar (Adi Dravidar Welfare), Sivagangai, through his proceedings in Na.Ka.No.A/1764/89, dated 26.05.1992. After allotment of the plot, the petitioner put up thatched house in terms of the condition imposed by the assignment authority.

3. While so, the 4th respondent herein trespassed into the petitioner's property and was making arrangement to put up construction. In such circumstances, the petitioner had approached the local police for taking action against him. It appears that the police advised the petitioner to seek remedy through Court of law.

4. Since the 4th respondent attempting to interfere with the possession and enjoyment of the property under the occupation of the petitioner, the petitioner submitted a representation dated 21.01.2014 to the respondents 1 to 3 to conduct an enquiry in respect of the grievance, particularly attempting of the 4th respondent, trespassing into the property assigned to the petitioner.

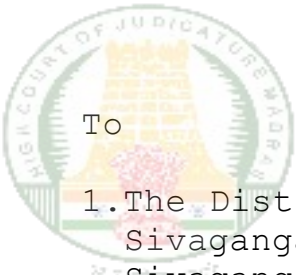
5. When the Writ Petition was taken up for hearing, it is seen that no action has been initiated on the representation said to have been submitted by the petitioner on 21.01.2014. Since more than 3 years has lapsed from the date of submission of the representation of the petitioner and no decision has been communicated to the petitioner on his representation, I deem it appropriate to issue a direction to the respondents 1 to 3 to hold an enquiry in regard to the grievance of the petitioner vis-a-vis the 4th respondent and pass a detailed order, within a period of eight weeks from the date of receipt of a copy of this order. The respondents 1 to 3 are also directed to consider any further submission that may be put forth by the petitioner before passing appropriate orders in the matter. Any decision later pursuant to the direction, the same may be communicated to the petitioner forthwith.

6. With the above direction, this writ petition shall stand disposed of. No costs.

Sd/-
Assistant Registrar(C)

/True copy/

Sub Assistant Registrar



To

1.The District Collector
Sivagangai
Sivagangai District.

2.The Tahsildar
Thiruppattur Taluk
Thiruppattur
Sivagangai District.

3.The Special Tasildar
(Adi-Dravidar Welfare)
Devakkottai
Sivagangai District.

+1 cc to Mr.V.Kannan , Advocate in SR.No. 16232

+1 cc to Mr.D.Parisuthanathan , Advocate in SR.No. 15953

+1 cc to Special Government Pleader in SR.No:16205

trp

AE/KP/SAR3/17.04.2017/3P/7C

W.P (MD) No. 4413 of 2014
20.03.2017