



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. (MD) No.10105 of 2017

N.S.Elango

...Petitioner

Vs.

- 1.The Secretary to the Government
Environment and Forest,
Secretariat, Chennai.
- 2.The District Collector,
Thanjavur District.
- 3.The District Forest Officer,
District Forest Officer,
Thanjavur.
- 4.Special Tahsildar,
Forest Settlement Officer,
Pattukottai Taluk Office,
Thanjavur.

...Respondents

PRAYER: Writ petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from interfering with a peaceful possession and enjoyment of the petitioner property comprised in survey No.529 and new survey No.529/2 having extent of 30.27 acres and Pazhunjur Village, Pattukottai Taluk, Thanjavur District in the light of the decree in O.S.No.149/1979 and thereby considering the petitioner's representation dated 10.02.2017 followed representation by 23.05.2017.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mrs.S.Barathi

Government Advocate

ORDER

The petitioner seeks for a Writ of Mandamus, forbearing the respondents from interfering with a peaceful possession and enjoyment of the petitioner property comprised in survey No.529 and new survey No.529/2 having extent of 30.27 acres and Pazhunjur Village, Pattukottai Taluk, Thajavur District in the light of the decree in O.S.No.149/1979 and there by considering the petitioner's representation dated 10.02.2017 followed representation by 23.05.2017.



2.Mrs.S.Barathi, Government Advocate takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

(*) "4.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner dated 23.05.2017 on merits and in accordance with law, after giving an opportunity of personal hearing to the parties concerned within a period of four weeks from the date of receipt of a copy of this order, till such time the possession of the petitioner should not be disturbed by the respondents."

5.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/

Assistant Registrar(T&P)

**(*)AMENDED AS PER ORDER OF THIS
HON'BLE COURT DATED 06/06/2017**

/True Copy/

Sub-Assistant Registrar

To

(*)TO BE SUBSTITUTED ORDER ALREADY DESPATCHED ON 01/06/2017

- 1.The Secretary to the Government of Tamil Nadu,
Environment and Forest, Secretariat, Chennai.
- 2.The District Collector, Thanjavur District.
- 3.The District Forest Officer, District Forest Officer, Thanjavur.
- 4.Special Tahsildar, Forest Settlement Officer,
Pattukottai Taluk Office, Thanjavur.

+One cc to The Special Government Pleader, SR.No.57912
+2ccs to Mr.S.Kumaresan, Advocate, SR.Nos.57594 and 58654

ia/das/akv

RL/8C/2P/JC/SAR1/20/6/2017

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