



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.13059 of 2017

WEB COPY

P.Krishnamoorthy

: Petitioner

-vs-

1.The District Collector,
Collectorate,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Tirupathur Taluk,
Sivagangai District.

3.The Revenue Inspector,
Natchiyarpuram,
Tirupathur Taluk,
Sivagangai District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents to issue assignment for 3 cents in Survey No.814 in Kandaramanickam Village, Tirupathur Taluk, Sivagangai District, by considering his representation, dated 03.04.2017.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.C.Selvaraj
Special Government Pleader

ORDER

The prayer sought for in this writ petition is to direct the respondents to issue assignment for 3 cents in respect of survey No.814 at Kandaramanickam Village, Tirupathur Taluk, Sivagangai District, by considering the petitioner's representation, dated 03.04.2017.

2.According to the petitioner, he is running a tea stall for the past 20 years in survey No.814 at Kandaramanickam Village, Tirupathur Village, Sivagangai District. Since there was a threat of eviction from the Panchayat President, he made a complaint and also submitted a representation, dated 03.04.2017 seeking issuance of patta. Since no order was passed, the present writ petition has been filed.



3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on records.

4. Mr. C. Selvaraj, learned Special Government Pleader appearing for the respondents, on instructions, would submit that the Tasildhar, Tirupattur, had directed the Village Administrative Officer to inspect the premises and submit a report. Since the petitioner owns a property more than Rs. 7 Lakhs, he is not entitled for assignment of the land. The report of the Village Administrative Officer was already received by the 2nd respondent and he has to pass suitable orders.

5. In the light of the above facts, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner, dated 03.04.2017 and pass appropriate orders, purely on merits and in accordance with law, after affording opportunity of hearing to the petitioner and the necessary parties, if any, within a period of four weeks from the date of receipt of the order copy. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To,

1. The District Collector,
Collectorate,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Tirupathur Taluk,
Sivagangai District.

3. The Revenue Inspector,
Natchiyarpuram,
Tirupathur Taluk,
Sivagangai District.

+1cc to Mr. S. M. A. JINNAH Advocate in SR. N.68104

ER

JS/JC/SAR.2/1.9.2017/2P-5C

W.P. (MD) No.13059 of 2017
26.07.2017