



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P (MD) No.14113 of 2017

P.Anthonimuthu

.. Petitioner

Vs.

1.The Authorized Officer (Land Reforms),
Office of the Land Reforms, Tirunelveli - 2.

2.M.Harichandran

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose the petitioner's representation dated 01.09.2016 and to transfer FORM-F assignment under Rule 8(6) of Tamil Nadu Land Reforms (Disposal of Surplus land) Rules, 1965, which was executed by respondent on 16.04.1975 from M.Perumal, S/o.Muthuveeran, who is the father of petitioner was died on 07.07.1994, to the petitioner, the property situated at Survey No.40/2B, Vadakukavalakurichi Village, Veerakeralamputhur Taluk, Thirunelveli District in an extent of 3.09 Acres, in accordance with law.

For Petitioner : Mr.P.Saravanan

For Respondent No.1 : Mr.J.Gunaseelan Muthaiah,
Government Advocate.
R2- Dispensed with.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the first respondent to transfer Form-F assignment in the name of the petitioner in respect of the property situates in Survey No.40/2B, Vadakukavalakurichi Village, Veerakeralamputhur Taluk, Tirunelveli District, to an extent of 3.09 acres, based on the petitioner's representation dated 01.09.2016.

2.Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the first respondent. In view of the nature of the relief sought for by the petitioner, notice to the second respondent is dispensed with.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.



4. Heard both sides.

5. The case of the petitioner is that his father namely M. Perumal is a Sri Lankan Refugee and the property situated in Survey No. 40/2B, Vadakukavalakurichi Village, Veerakeralamputhur Taluk, Tirunelveli District, to an extent of 3.09 acres, has been assigned in favour of his father, under the scheme of Rehabilitation of Repatriates from Sri Lanka and patta has also been issued to him and the said land was cultivated by his father. His father died on 07.07.1994. According to the petitioner, now, the third respondent grabbed the said land on the strength of a forged settlement deed dated 14.11.2007 and also restrained him from entering into the said land. Therefore, he made representation to the first respondent to transfer Form-F Assignment, in the name of the petitioner in respect of the said land. Since the same has not been considered so far, the petitioner is before this Court.

6. The learned Counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 01.09.2016 followed by a reminder dated 08.07.2017, is disposed of by the first respondent as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 01.09.2016 followed by a reminder dated 08.07.2017, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties including the second respondent, within a period of six weeks from the date of receipt of a copy of this order.

8. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (RTI)

/ True Copy /

Sub Assistant Registrar (C.S.)

To

The Authorized Officer (Land Reforms),
Office of the Land Reforms, Tirunelveli - 2.
+1cc to M/S.P. SARAIVANAN, Advocate SR.No.68516
+1cc to Special Government Pleader, SR.No.69373
smn
MAS/KP/SAR2:07.08.2017:2P-4c