



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

CORAM:

THE HONOURABLE **MR. JUSTICE K. KALYANASUNDARAM**

W.P. (MD) No. 14438 of 2017

and

W.M.P (MD) No. 11304 of 2017

WEB COPY

Manjula

... Petitioner

Vs.

1. The District Collector,
Madurai.
2. The Revenue Divisional Officer,
Madurai North,
Madurai.
3. The Special Thasildar,
Adi-Dravidar Welfare Rank No.1,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 20.07.2017 made in person submitted for conducting enquiry based on the petitioner's representation relating to her legal right of possession and enjoyment of the said property in the capacity of legal heir of the late. Pitchaiammal on the strength of assignment order dated 29.06.1989 passed in favour of her mother in law late. Pitchaiammal and the right of the 3rd respondent to cancel the said assignment after the demise of late. Pitchaiammal that to after fulfillment of all the stipulated conditions without notice to the petitioner besides directing the third respondent not to take coercive steps to evict the petitioner and her family from the said property bearing Plot No.33, comprised in Survey No.208/1 situated at Thathamangalampatti, M.G.R. Colony, Kallivelipatti, Vadipatti Taluk, Madurai District within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.C.Selvaraj
Spl. Govt. Pleader

**ORDER**

This writ petition is filed seeking for the issuance of a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 20.07.2017.

2.The case of the petitioner is that her mother-in-law, namely, Pitchaiammal was assigned the house plot No.33 in S.No.208/1 situated at Thathamangalampattai, M.G.R. Colony, Kallivelipatti, Vadipatti Taluk, Madurai District by the third respondent on 28.06.1989. She has put up a construction and she was residing in the property till her death.

3.The petitioner would state that after demise of original allottee, her son inherited the same and he also died in the year 2016. Thereafter, the petitioner is residing in the property along with her children. While so, the respondents attempted to evict her by force. Hence, the present writ petition.

4.Mr.B.Prahalad Ravi, learned counsel appearing for the petitioner would submit that aggrieved over the action of the respondents, the petitioner sent a representation on 20.07.2017 to the first respondent. Since it was not considered, this present writ petition.

5.Heard Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents.

6.Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 20.07.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, as expeditiously as possible. Till then, the respondents are directed to maintain status quo.

7.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai.

<https://hcservices.hc.madurai.judic.go.in/>



2. The Revenue Divisional Officer,
Madurai North,
Madurai.

3. The Special Thasildar,
Adi-Dravidar Welfare Rank No.1,
Madurai.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 70959.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate, SR No. 70307.

SKN

PSM/JC/SAR2/16.08.2017/3P/6C

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