



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2017

CORAM:

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

W.P. (MD)No.15944 of 2017

R.M.Kandhi

... Petitioner

Vs.

1. The Tahsildar,
Madurai North Taluk,
Madurai District.

2.P.Karuppiah

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petition in TR.No.1/2016 under the Tamil Nadu Agricultural Lands record of Tenancy Act, 1969 within a time limit fixed by this Court.

For Petitioner : Mr.P.Muthusamy

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader
(for R1)

O R D E R

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petition in TR.No.1/2016 under the Tamil Nadu Agricultural Lands record of Tenancy Act, 1969.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for first respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner would claim that he purchased the property to an extent of 1 Acre in S.No.73/2A situated at Pasinagapuram village, Pothumbu Bit-I, Madurai North Taluk, Madurai in the name of his wife, namely, Janaki in the year 2004. However, she died on 26.12.2011. When the petitioner's son wanted to develop the property, there was an objection from the second respondent contending that he is cultivating tenant and he also filed a



petition before the first respondent to recognize him as cultivating tenant.

4. According to the petitioner, the second respondent is not cultivating tenant and due to the pendency of the case, the petitioner is not able to develop the property. Hence, he approached this Court.

5. 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 pass appropriate orders on the petition in TR.No.1/2016 on merits and in accordance with law, after giving notice to the interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

The Tahsildar,
Madurai North Taluk,
Madurai District.

+1cc to Mr.P.Muthusamy, Advocate in SR.No.74754
+1cc to The Special Government Pleader in SR.No.74800

dss/skn

AE/SV MMS/SAR3/11.09.2017/2P/4C

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