



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19009 of 2017

M.Senthilnathan

... Petitioner

-vs-

1. The District Collector,
Kanyakumari District.

2. The Sub Registrar,
Boothapandi Registration Office,
Thovalai Taluk,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to grant approval to retain and transfer the properties owned by the petitioner in S.No.785/1A1A situated in Kanyakumari District, Boothapandi Sub Division, Thovalai Taluk, Alagiyapandiapuram Village as requested in the petitioner's application dated 03.04.2017.

For Petitioner : Mr.Antony S.Prabakar
For Respondents : Mr.T.S.Mohammed Mohideen
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondent to grant approval to retain and transfer the properties owned by the petitioner in S.No.785/1A1A situated in Kanyakumari District, Boothapandi Sub Division, Thovalai Taluk, Alagiyapandiapuram Village as requested in the petitioner's application dated 03.04.2017.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent on either side, the writ petition itself is taken up for final disposal at the admission stage.

3. The case of the petitioner is that he had purchased the property in question, measuring to a total extent of 71.92 acres and



at the time of purchase, he was not aware of the properties being notified as a private forest. When he tried to transfer the properties, he was informed about the above factum by the Sub Registrar, Boothapandi. Therefore, the petitioner submitted an application dated 03.04.2017 to the 1st respondent seeking approval. Since there was no action taken on the said application so far, the petitioner is before this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the 1st respondent/District Collector, the application of the petitioner will be considered and suitable orders passed.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the first respondent to consider the application of the petitioner dated 03.04.2017 and pass necessary orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

6. With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Kanyakumari District.
2. The Sub Registrar,
Boothapandi Registration Office,
Thovalai Taluk,
Kanyakumari District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 82803

AR
TE/KK/SAR-III : 30/10/2017 : 2P/4C

W.P (MD) No.19009 of 2017
12.10.2017