



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.22831 of 2017 and
W.M.P. (MD) No.19134 of 2017

M.Manokaran

... Petitioner

-vs-

1. The District Collector,
Pudukottai District,
Pudukottai.2. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Pudhukottai, Pudukottai District.3. The Tahsildar,
Thirumayam Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the Respondent No.3 / Record Officer to hold an open enquiry in the public place in Lembalakudi, Sebastiyarpuram Village in Thirumayam Taluk, Pudhukottai District in accordance with Rule 5(4) of Tamilnadu Agricultural Lands Record of Tenancy Rights Act, 1969 in respect of his lands in S.Nos.844/2B and 846/2B1 before deciding the petitioner's application in R.T.R.No.36/2015/A7 under Tamilnadu Agriculture Lands Record of Tenancy Rights Act, 1969.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.T.S.Mohamed Mohideen
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the Respondent No.3 / Record Officer to hold an open enquiry in the public place in Lembalakudi, Sebastiyarpuram Village in Thirumayam Taluk, Pudhukottai District in accordance with the Rule 5(4) of Tamilnadu Agricultural Lands Record of Tenancy Rights Act, 1969 in respect of his lands in S.Nos.844/2B and 846/2B1 before deciding his application in R.T.R.No.36/2015/A7 under Tamilnadu Agriculture Lands Record of Tenancy Rights Act, 1969.



2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he is a cultivating tenant of agricultural lands on payment of valid sale consideration in S.Nos.844/2B and 846/2B1 and the original land owners are attempting to sell the said lands for industrial purpose without any intimation to him. Therefore, the petitioner along with other cultivating tenants submitted an application to the 3rd respondent for recording him as a cultivating tenant as per Tamilnadu Agricultural Lands Record of Tenancy Rights Act, 1969. Though the the Revenue Inspector had conducted an enquiry and submitted a report to the 3rd respondent, thereafter, no steps have been taken by the 3rd respondent for conducting any open enquiry in the public place as required under the Act. Aggrieved by the same, the petitioner is before this Court with the above prayer.

4. The learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the third respondent, necessary steps would be taken to look into the grievance of the petitioner.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the claim of the petitioner and take a suitable decision thereon on merits and in accordance with law, within a period of eight 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 in the light of the provisions of Tamilnadu Agricultural Lands Record of Tenancy Rights Act, 1969.

6. With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/true Copy/

Sub-Assistant Registrar

To:

1. The District Collector, Pudukottai District, Pudukottai.
 2. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,Pudhukottai, Pudukottai District.
 3. The Tahsildar, Thirumayam Taluk, Pudukottai District.
- +One cc to Mr.T.LajapathiRoy, Advocate, SR.No.92670
+One cc to The Special Government Pleader, SR.No.93156

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