



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.23680 of 2017

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Balasubramani

(Power of Attorney Holder)

On behalf of S.Karuppasamy @ Pandithevar

... Petitioner

Vs.

1.The Government of Tamilnadu

Rep. by the Commissioner and Secretary to Government,
Housing and Urban Department,
Madras - 9.

2.The Special Tahsildar, Land Acquisition

(Neighbourhood Scheme)
Thoothukudi Taluk,
Thoothukudi District.

3.The Executive Officer,

Tamil Nadu Housing Board,
Tirunelveli Housing Board Section,
Maharaja Nagar,
Palayamkottai,
Tirunelveli District.

4.The Tahsildar

Thoothukudi Taluk, Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to re-convey the land in Survey No.132/3C1, which extents about 17.68 cents at Sankarapery village, Thoothukudi Taluk, Thoothukudi District vide petitioner's Principal S.Karuppasamy @ Pandithevar's (S/o.Karuppaiah Thevar) representation dated 22.02.2017.

For Petitioner

: Mr.D.Saravanan

For Respondents

: Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

O R D E R

This writ petition has been filed, seeking to direct the respondents to re-convey the land in Survey No.132/3C1, which extents about 17.68 cents at Sankarapery village, Thoothukudi Taluk, Thoothukudi District vide petitioner's Principal S.Karuppasamy @ Pandithevar's (S/o.Karuppaiah Thevar) representation dated 22.02.2017.



2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

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4. It is the case of the petitioner that he is the Power Agent of one S.Karuppasamy @ Pandithevar, who is the owner of an agricultural land situated at Sankarapery Village, Thoothukudi Taluk in S.No.132/3C1. The grievance of the petitioner is that the said land was acquired by the respondents in the year 1988, but till now the lands were kept unused and on enquiry, the petitioner was informed that the respondents had dropped the scheme. Hence, the petitioner's Principal made a representation to the respondents, dated 22.02.2017 for reconveyance of the said land to him and since the same was not considered by the respondents, the petitioner is before this Court.

5. When the matter is taken up for hearing today, the learned Counsel appearing for the petitioner submitted that it would suffice, if the representation dated 22.02.2017 is disposed of by the respondents, on merits.

6. 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 petitioner's claim, directs the respondents to consider the representation of the petitioner dated 22.02.2017 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To:

1.The Commissioner and Secretary to Government,
Housing and Urban Department,
Madras - 9.



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(Neighbourhood Scheme)
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Tirunelveli District.

4.The Tahsildar
Thoothukudi Taluk,
Thoothukudi District.

+1cc to M/S.D.Saravanan, Advocate SR.No. 94192
+1cc to Special Government Pleader, SR.No. 94846

W.P (MD) No.23680 of 2017
21.12.2017

rm
JM/KK/SAR 1/10.01.2018/2P/7C