



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P.(MD)No.23759 of 2017

K.Manimaran

... Petitioner

Vs.

1. The District Collector,
Theni District.

2. The Tahsildar
Periyakulam Taluk,
Theni District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the 2nd respondent herein to consider the application of the petitioner dated 06.07.2017 for allotment of land in S.No.1359 (Barren land) in Melmangalam Village, Bit-2, Periyakulam Taluk, Theni District as directed by the 1st Respondent in Na.Ka.5303/2017/AA1 dated 12.07.2017 as per the proceedings of the Ministry of Defence, Government of India in Letter No.25098/XIII/AG/PS5/(B)/96/DSD(AG-II) dated 15.01.1964 and Letter No.25098/XIII/AG/PS5/(b)/D05/D(AG-I) dated 25.04.1967 within a reasonable time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Appadurai

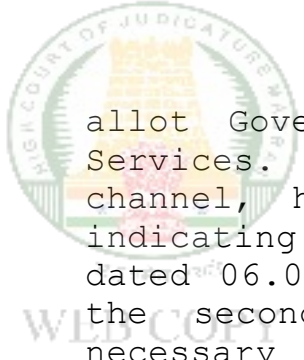
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

O R D E R

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

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents.

3. The petitioner before this Court is a Military Man and according to him, Ministry of Defence has launched a scheme, in the year 1964, thereby, requested all the State Governments to



allot Government waste lands to serving personnels of Defence Services. Under the said scheme, the petitioner, through proper channel, had applied for allocation of Government waste land, indicating certain Government waste lands, to the first respondent dated 06.07.2017, who, in turn, has forwarded his application to the second respondent, by proceedings dated 12.07.2017, for necessary action at his end, where, according to the petitioner, the same is kept pending, without any action. Aggrieved over the same, the present petition came to be filed.

4. When the matter is taken up for hearing today, the learned Special Government Pleader, on instructions, submitted that the authority concerned/second respondent is inclined to pass appropriate orders, in this issue, within a stipulated time limit.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the second respondent, to proceed further and to pass appropriate final orders, in this subject, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District.

2. The Tahsildar
Periyakulam Taluk,
Theni District.

+ 1 cc TO Mr.K.Appadurai , Advocate in SR No. 94120
+ 1 cc TO The Special Government Pleader in SR No. 94772

gk

AE/SV MMS/SAR1/10.01.2018/2P/5C