



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2017

CORAM:

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

WEB COPY

**W.P (MD) No.8439 of 2013**

**and**

**M.P (MD) No.1 of 2013**

A.Selvan

.. Petitioner

Vs.

1. The District Collector,  
Tuticorin District, Tuticorin.

2. The Tahsildar,  
Vilathikulam Taluk,  
Tuticorin District.

3. The Village Administrative Officer,  
Periyasampuram Village,  
Vilathikulam Taluk, Tuticorin District.

4. The President,  
Periyasampuram Village Panchayat,  
Vilathikulam Taluk, Tuticorin District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents 1 to 4 or their subordinate from in any way evicting the petitioner and his family members from his lands classified as Natham lands (to an extent of 11 cents) in Natham Survey No.173/9 Periyasampuram Village, Tuticorin District.

For Petitioner : Mr.M.Mahaboob Athiff  
for M/s.Ajmal Associates.

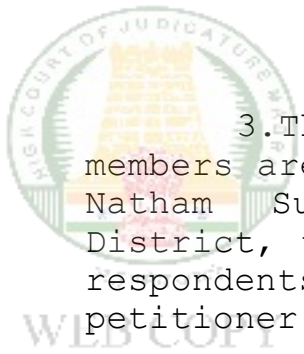
For Respondents 1 to 3 : Mr.J.Gunaseelan Muthaiah,  
Government Advocate.

For Respondent No.4 : Mr.V.Neelakandan

### ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 to 4 not to evict the petitioner and his family members from his lands admeasuring 11 cents, comprised in Natham Survey No.173/9, Periyasampuram Village, Tuticorin District, which has been classified as Natham lands.

2.Heard both sides.



3.The case of the petitioner is that he and his family members are living in his lands admeasuring 11 cents, comprised in Natham Survey No.173/9, Periyasampuram Village, Tuticorin District, which has been classified as Natham lands and since the respondents tried to evict them from the said lands, the petitioner is before this Court.

4.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 20.02.2013, is directed to be disposed of by the respondents 1 to 3, as per law.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 to 3 to consider the representation of the petitioner, dated 20.02.2013, and pass appropriate orders, if not disposed of earlier, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Tuticorin District, Tuticorin.
2. The Tahsildar,  
Vilathikulam Taluk,  
Tuticorin District.
3. The Village Administrative Officer,  
Periyasampuram Village,  
Vilathikulam Taluk, Tuticorin District.

Smn

AE/SKN RSK/SAR4/22.12.2017/2P/4C

**ORDER MADE IN**  
**W.P(MD)No.8439 of 2013**  
**and**  
**M.P(MD)No.1 of 2013**  
**30.11.2017**