

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14950 of 2018

E.P.Ambrose

.. Petitioner

-vs-

1. The District Collector
Erode District
Erode 638 009

2. The Thasildhar
Erode South Taluk
Erode District

3. The Commissioner
Corporation of Erode
Erode

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent herein to consider and pass orders on the representation made by the petitioner dated 09.09.2017.

For Petitioner :: Mr.Venkataswamy Babu
For Respondents :: Mr.S.N.Parthasarathy
Government Advocate
for R1 & 2

ORDER

The petitioner is an Ex-serviceman aged about 81 years. It is claimed that he fought in the Indo-China War that took place in the year 1962, again in Pakistan War in the year 1965 and also in the Bangladesh War in the year 1971. After putting in 30 years of his service in Indian Army and also participating successfully in various wars mentioned above, retired and came down to his native village and chose to live in the present place. He has been in possession and enjoyment of 5 cents of poramboke land covered in Survey No.103, Easwaran Koil Street, Gandhiji Road, Erode, which is coming within the Erode City Municipal Corporation. He has been also issued with the ration card, voter card etc., indicating that he along with his family had been residing in the aforementioned land. His property is

also assessed for property tax. He has been also paying the tax regularly and the electricity bills issued by the Electricity Department also show that he has been in possession of the property for quite a long time. Since the Government have also issued guidelines through various Government Orders for issuance of patta to the persons who are in possession for a specified period, the petitioner has given a representation on 9.9.2017 to the first respondent enclosing all the aforementioned documents. But the said representation has not been till date considered. Hence, he seeks a direction for early disposal of his representation.

2. The learned Government Advocate for the respondents 1 & 2 submitted that since the petitioner claims to be an Ex-serviceman and also further claims that he has been in possession of the land in question for a long time, the representation of the petitioner will be looked into on merits.

3. In view thereof, the respondents are hereby directed to consider the representation of the petitioner on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

ss
To

1. The District Collector
Erode District
Erode 638 009
2. The Thasildhar
Erode South Taluk
Erode District
3. The Commissioner
Corporation of Erode, Erode.

+ 1 cc to Mr. Venkataswamy Babu, Advocate SR.39293
+ 1 cc to the Government Pleader Sr.39962

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(CS-V)
EU(03/07/2018)