

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16382 of 2018

G.Balasubramanian

.. Petitioner

Vs.

1.The Tahsildar and
Record of Tenancy Rights Officer,
Coimbatore (North), Coimbatore.

2.Krishnar Temple
rep by its Fit Person
Pannimadai,
Office at A/m Kulanthai Velayuthasamy Temple,
Kurunthamalai, Karamadai Post,
Mettupalayam Taluk,
Coimbatore - 641 104. .. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the 1st
respondent herein to dispose of the un-numbered application in
T.R.No. Of 2018 dated 12.04.2018 filed before the 1st
respondent herein on merits within a stipulated time.

For Petitioner : Mr.V.P.K.Gowtham

For Respondent : Mrs.K.Bhuvaneswari,
Additional Government Pleader (R1)

O R D E R

The petitioner seeks a direction to the 1st respondent
herein to dispose of the un-numbered application in T.R.No.
Of 2018 dated 12.04.2018 filed before the 1st respondent herein
on merits within a stipulated time.

2.The learned counsel for the petitioner submitted that the
petitioner's father V.S.Gopalswamy was a cultivating tenant
under Section 4(1) of the Tamil Nadu Agricultural Land Records
of Tenancy Rights Act, 1969. He was also registered as a
cultivating tenant to the land owners Alamelu Ammal and
Subbulakshmi Ammal in respect of S.No.128 measuring 5 acres in

Pannimadai Village. The order dated 30.06.1978 passed by the Record Officer and Tahsildar, Coimbatore, shows that the petitioner's father was a cultivating tenant. As the petitioner's father passed away on 20.01.2005, leaving behind the petitioner and his sister as his legal heirs, the petitioner has become the cultivating tenant and wants his name to be recorded as the cultivating tenant. The petitioner has also submitted an application before the 1st respondent, which is pending.

3.This Court is unable to entertain the Writ Petition for the reason that the petitioner is not able to produce any documents to show that the petitioner is physically cultivating the lands after the death of his father V.S.Gopalswamy.

4.In view of the fact that the petitioner is unable to produce any documents, the Writ Petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

va

To

The Tahsildar and
Record of Tenancy Rights Officer,
Coimbatore (North), Coimbatore.

+1cc to the Government Pleader Sr.43631
+1cc to Mr.V.P.K.Gowtham, Advocate Sr.43033

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srg 16/07/2018