

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.27743 of 2018

Mr.K.Sivagnanam

...

Petitioner

Versus

1. The Director of Land Reforms,
Land Reforms Department,
Chepauk,
Chennai- 600 005.
2. The Boodan Yagna Board,
Represented by its Secretary,
Land Reforms Department,
Chepauk,
Chennai- 600 005.
3. The District Collector,
Erode District.
4. District Revenue Officer
Erode District Collector Office
Erode.

.... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the first respondent to consider the representation made by the petitioner on 10.09.208 under Section 17A of Tamilnadu Bhoodan Yagna Act, 1958.

For Petitioner : Mr.S.A.Shanmugam

For Respondents: Mr.V.Shanmugasunder
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent to consider the representation made by the petitioner on 10.09.208 under Section 17A of Tamilnadu Bhoodan Yagna Act, 1958.

2. The case of the petitioner is that he made a representation to the first respondent on 10.09.2018, expressing his willingness to exchange the donated lands in his favour in consideration to alternate lands with equivalent value, in the light of Section 17 A of Tamil nadu Bhoodan Yagna Act, 1958 . Since, the same did not evoke any response, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. Heard Mr.S.A.Shanmugam, learned counsel appearing for the petitioner as well as Mr.V.Shanmugasunder, learned Special Government Pleader appearing on behalf of the respondents.

4. The learned Special Government Pleader appearing on behalf of the respondents submitted that the respondents have not received such representation, as there is no acknowledgment to the same. Therefore, the petitioner may be directed to resubmit the same. It is further submitted that the Second Respondent Board is not in existence now and the same has to be reconstituted, which would take not less than six months.

5. The learned counsel for the petitioner submitted that the petitioner may be permitted to resubmit the representation dated 10.09.2018 to the first respondent and the same may be directed to be considered by the first respondent, within a stipulated period.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court without going into the merits of the case, directs the petitioner to resubmit that representation dated 10.09.2018 to the first respondent, within a period of four weeks from the date of receipt of a copy of this order and the first respondent is directed to consider and pass orders, on merits and in accordance with law, after the constitution of the second respondent board.

This Writ Petition is disposed of with the above directions.
No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

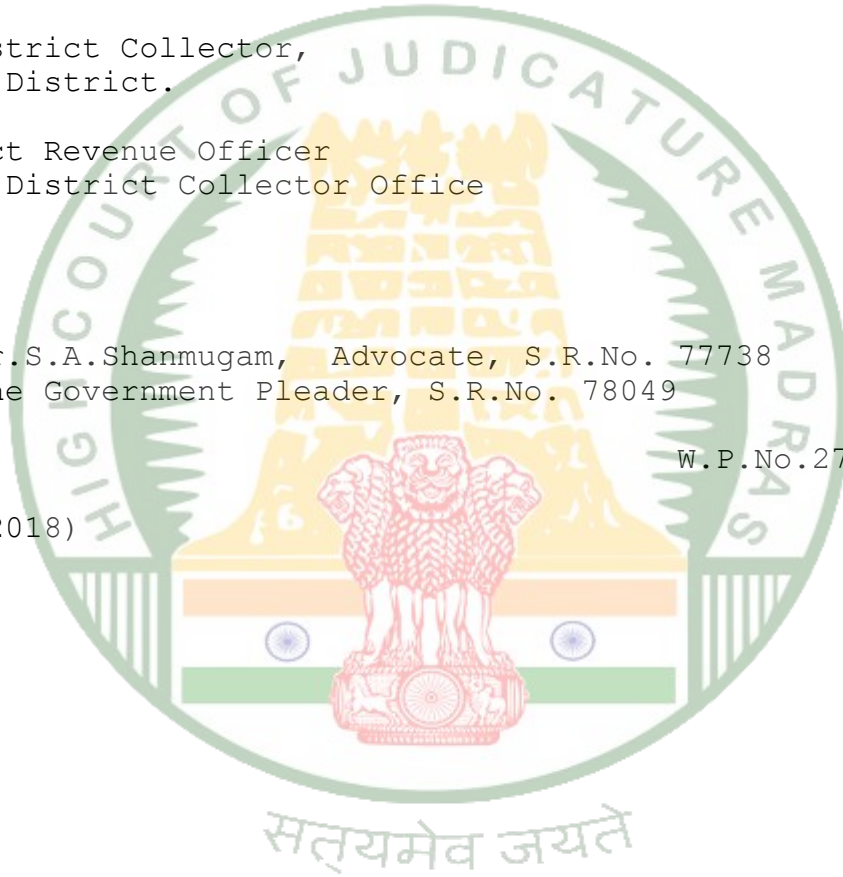
To

1. The Director of Land Reforms,
Land Reforms Department,
Chepauk,
Chennai- 600 005.
2. The Boodan Yagna Board,
Represented by its Secretary,
Land Reforms Department,
Chepauk,
Chennai- 600 005.
3. The District Collector,
Erode District.
4. District Revenue Officer
Erode District Collector Office
Erode.

+1cc to Mr.S.A.Shanmugam, Advocate, S.R.No. 77738
+1cc to the Government Pleader, S.R.No. 78049

W.P.No.27743 of 2018

VSNII (CO)
GN(30/11/2018)



WEB COPY