

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30756 of 2018
& W.MP.No.35901 of 2018

N.Adhimoolam
... Petitioner

Vs.

1. The District Collector,
Salem, Salem District.
2. The Special Tahsildar (Land Assignment),
Office of Tahsildar,
Attur, Salem (District)
3. The Tahsildar,
Attur, Attur (Taluk)
Salem (District)
4. Azhagarasan ... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 12.10.2018 by hold on enquiry to remove the fourth respondent name in the Patta bearing survey No.837/5 measuring about 2 Acres 40 cents, Paithur Village the second respondent herein allotment order AM131/88 dated 31.07.1978 in accordance with law.

For Petitioner : Mr.A.Ramesh

For Respondents 1 to 3 : Mr.S.Sureshkumar
Government Advocate

O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to consider his representation dated 12.10.2018 by holding an enquiry to remove the fourth respondent's name in the Patta bearing survey No.837/5 measuring to an extent of 2 acres 40 cents, situated at Paithur Village.

3.According to the learned counsel for the petitioner, he has submitted a representation dated 12.10.2018 requesting to remove the name of the fourth respondent in the patta by holding an enquiry, but, the same is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4. Heard Mr.S.Sureshkumar, learned Government Advocate on behalf of the respondents 1 to 3.

5.Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 12.10.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and fourth respondent herein and also affording due opportunity of hearing to the petitioner, fourth respondent herein as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

av/rsi

To

1. The District Collector,
Salem, Salem District.

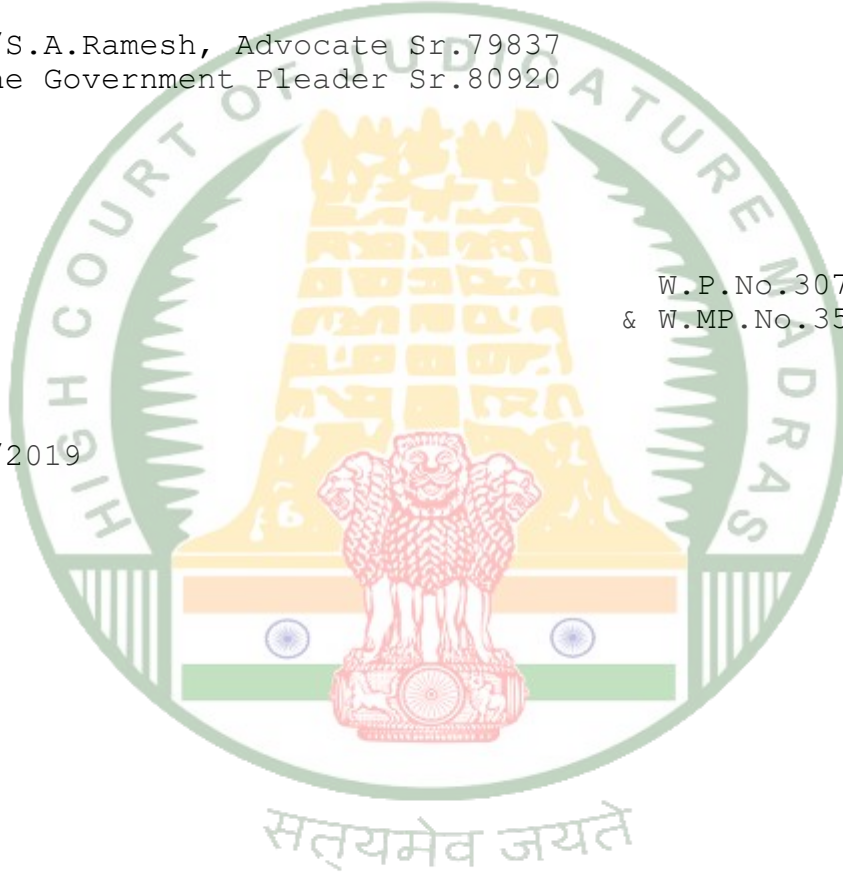
2. The Special Tahsildar (Land Assignment),
Office of Tahsildar,
Attur, Salem (District)

3. The Tahsildar,
Attur, Attur (Taluk)
Salem (District)

+1cc to M/S.A.Ramesh, Advocate Sr.79837
+1cc to the Government Pleader Sr.80920

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vsn II[co]
srg 11/02/2019



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