

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.12.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32165 of 2018 and W.M.P.No.37422 of 2018

A.Thangavel

.. 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 first respondent to consider the representation of the petitioner dated 12.10.2018 by hold on enquiry to remove the fourth respondent's name in the patta bearing Survey No.837/4 measuring about 2 acres 20 cents, Paithur Village, the second respondent herein allotment order AM131/88 dated 31.07.1978.

For Petitioner : Mr.A.Ramesh
For Respondents 1 to 3 : Mr.V.Shanmugasundar
Special Government Pleader

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 hold an enquiry for removing the fourth respondent's name in the patta bearing Survey No.837/4 measuring about 2 acres 20 cents situated at Paithur Village by considering his representation dated 12.12.2018.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 12.12.2018 requesting to remove the name of the fourth respondent in the patta bearing Survey No.837/4 measuring to an extent of 2 acres 20 cents situated at Paithur Village by holding an enquiry and to issue the patta in his favour, but, the same is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4. Heard Mr.V.Shanmugasundar, learned Special Government Pleader 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, the fourth respondent respondent here as well as any of the interested parties and also affording them an opportunity of hearing 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 closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Srn

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 the Government Pleader, S.R.No.84475

W.P.No.32165 of 2018
and W.M.P.No.37422 of 2018

VGII(CO)
GSP(03/01/2019)



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