

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 03.09.2018

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU**W.P(MD).No.8116 of 2018**

WEB COPY

Kamaraj

... Petitioner

Vs.

- 1) The Government of Tamil Nadu,
Rep., by the Commissioner and
Secretary to Government,
Housing and Urban Department,
Madras - 600 009
- 2) The Chairman,
Tamil nadu Housing Board,
Nanthanam, Chennai.
- 3) The Executive Officer,
Tamil Nadu Housing Board,
Tirunelveli Housing Board Section,
Maharaja Nagar, Palayamkottai,
Tirunelveli District.
- 4) The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

... Respondents

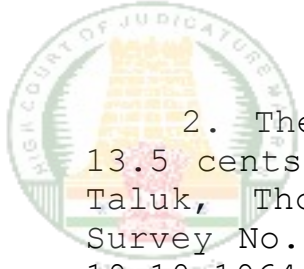
PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to re-convey the land in Sy.No.130/1, patta No.4595, which extents about 13.5 cents at Sankarapery Village, Thoothukudi Taluk, Thoothukudi District vide the petitioner's representation dated 08.02.2018 which was sent by registered post to the respondents.

For petitioner : Mr.D.Saravanan

For Respondents : Mr.A.Thiyagarajan,
Government Advocate

ORDER

This writ petition has been filed by the petitioner for a Mandamus, to direct the respondents to re-convey the land vide the petitioner's representation dated 08.02.2018.



2. The case of the petitioner is that his father purchased 13.5 cents in Survey No.130/1 at Sankarapery Village, Thoothukudi Taluk, Thoothukudi District, which has been sub divided into Survey No.130/1A in patta No.4595 vide registered sale deed dated 19.10.1964 vide document No.3436 of 1964 and the said land has been acquired by the respondents herein, for the development of Housing Unit in the said survey number vide proceedings Ref.No.A.54/84 dated 29.07.1988.

3. Learned counsel for the petitioner would submit that, earlier a Writ Petition was filed in W.P.(MD) No.2121 of 2018 and the same was withdrawn on 02.02.2018 as not pressed, as no representation was given to the first respondent and the first respondent is the competent authority to re-convey the lands of the petitioner and therefore, after giving a representation to the first respondent dated 08.02.2018 for reconveyance of his lands, the present writ petition has been filed by the petitioner.

4. Learned counsel for the petitioner would further submit that the acquired lands were not put into utilization for the past 20 years and therefore, the petitioner had given a representation for reconveyance of his lands and he would pray that the petitioner would be satisfied, if a direction is given to the first respondent to dispose of his representation within a time frame.

5. Heard Mr.D.Saravanan, learned counsel appearing for the petitioner and Mr.A.Thiyagarajan, learned Government Advocate appearing for the respondents.

6. Considering the limited relief sought for by the petitioner, this Court, without adverting into the merits of the case, disposes of this Writ Petition with a direction to the respondents to consider the representation of the petitioner, dated 08.02.2018 and pass appropriate orders on merits and in accordance with law. The said exercise shall be completed by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1) The Commissioner and
Secretary to Government,
Housing and Urban Department,
Madras - 600 009



2) The Chairman,
Tamil Nadu Housing Board,
Nanthanam, Chennai.

3) The Executive Officer,
Tamil Nadu Housing Board,
Tirunelveli Housing Board Section,
Maharaja Nagar, Palayamkottai,
Tirunelveli District.

4) The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

+1cc to Mr.D.Saravanan, Advocate Sr.No.81882

STS

VB/SKN/SAR1/24.09.2018/3P/6C

Order made in
W.P(MD) .No.8116 of 2018
03.09.2018