

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5802 of 2019

and

WMP.No.6633 of 2019

K.S.Ramaswamy

...Petitioner

Vs.

1.The District Collector
Thiruvarur District
Office of the District Collector
Thiruvarur.

2.The District Revenue Officer
Thiruvarur District
Office of the District Collector
Thiruvarur.

3.The Tahsildar
Mannargudi Taluk
Office of the Tahsildar
Mannargudi.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from allotting or accommodating for house site in the land measuring a total extent of Acre 1.23 cents in Survey Nos.4, 7/1 and 19 in No.42, Kunniyur Village (Veeraki Hamlet) Mannargudi Taluk, Thiruvarur District and thereby, disturbing the peaceful possession and enjoyment of the petitioner in using the Thrashing land.

For Petitioner : Mr.M.L.Ramesh

For Respondents: Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking for a mandamus forbearing the respondents from allotting or accommodating house site in the land measuring total extent of Acre 1.23 cents in Survey Nos.4, 7/1 and 19 in No.42, Kunniyur Village (Veeraki Hamlet) Mannargudi Taluk, Thiruvarur District and thereby, disturbing the peaceful possession and enjoyment of the petitioner in using the Thrashing land.

3. The grievance of the petitioner is that the subject matter property, which is being used as Thrashing land by all the villagers is sought to be allotted to various persons as house sites. It is stated that ventilating such grievance, the petitioner has approached the first respondent and gave a representation on 09.02.2019 and however, the petitioner was not given any acknowledgment. Therefore, the petitioner approached this Court and filed the present writ petition with the relief as stated supra.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner as it is for the first respondent to consider and decide the same after getting report from the third respondent. In any event the petitioner shall submit one more representation before the first respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation and after conducting proper enquiry and also after getting report from the third respondent, the first respondent shall pass appropriate orders on merits and in accordance with law, after hearing all the parties concerned. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of the representation.

With the above observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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सत्यमेव जयते

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Thiruvarur District
Office of the District Collector
Thiruvarur.

2.The District Revenue Officer
Thiruvarur District
Office of the District Collector
Thiruvarur.

3.The Tahsildar
Mannargudi Taluk
Office of the Tahsildar
Mannargudi.

+lcc to Mr.M.L.Ramesh, Advocate, SR.No.18661
+lcc to the Govt.Pleader, Vide Sr.No.19343

W.P.No.5802 of 2019

Kak(25/04/2019)



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