

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6713 of 2019

and

W.M.P.No.7525 of 2019

Dr.Siva Davamani

... Petitioner

Vs

1. The Additional Chief Secretary
cum Commissioner of Land Administration,
Government of Tamil Nadu,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2. The District Collector,
Collectorate Buildings,
Dindigul District.

3. The Director,
Cardamom Research Centre,
Mayiladumparai,
Kailasanadu,
Idukki District,
Kerala State.

... 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 review petition filed by the petitioner dated 12.02.2019 on merits and in accordance with law after affording opportunity to the petitioner within the stipulated time as that may be fixed by this Court.

For Petitioner : Mr.N.Umapathi

For Respondents: Mr.S.N.Parthasarathy,
Government Advocate
for R1 and R2
Mr.V.S.Venkatesh for R3

O R D E R

This Writ Petition is filed seeks for a Mandamus directing the first respondent to consider the review petition filed by the petitioner dated 12.02.2019, after affording opportunity to him.

2. It is seen that the first respondent passed an order on 12.02.2019 informing the District Collector, Dindigul, that there is public access in Survey No.225, which is classified as "pathai" and therefore, he has to earmark the pathway land alienated to Spices Board and ensure that physical possession is taken by the Spices Board. The petitioner before this Court has filed a review petition before the first respondent to review the said order dated 12.02.2019 by contending that the same was passed without hearing the petitioner.

3. This Court, at this stage, is not expressing any view on the merits of the writ petition filed by the petitioner, as it is for the first respondent to consider and decide, after giving due opportunity of hearing to the petitioner as well as the 3rd respondent.

4. Accordingly, this Writ Petition is disposed of by directing the first respondent to dispose of the review petition filed by the petitioner on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and the 3rd respondent. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. Till an order is passed by the first respondent in the review petition, the respondents are directed, not to take any coercive steps against the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Insp.cell)

//True copy//

Sub Assistant Registrar

vsi

To

1. The Additional Chief Secretary
cum Commissioner of Land Administration,
Government of Tamil Nadu,
Ezhilagam,
Chepauk,
Chennai - 600 005.

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Dindigul District.

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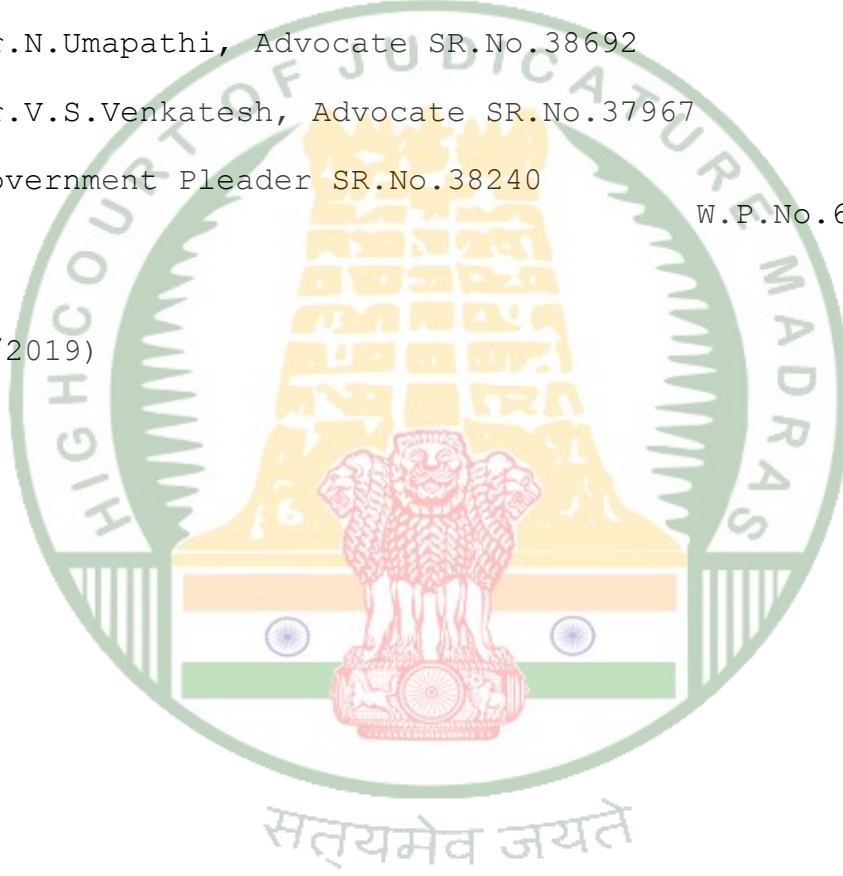
+1cc to Mr.N.Umapathi, Advocate SR.No.38692

+1cc to Mr.V.S.Venkatesh, Advocate SR.No.37967

+1cc to Government Pleader SR.No.38240

W.P.No.6713 of 2019

SS (CO)
GMY (06/06/2019)



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