



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.6987 of 2019

Malaisamy

... Petitioner

-vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

... Respondents

PRAYER: Petition is are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to complete the proceedings based on letter issued by the 1st respondent on 28.11.2018 within the stipulated time by this Court.

For Petitioner : Mr.M.Ramu

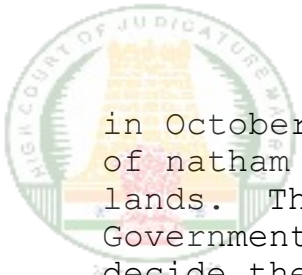
For Respondents : Mr.A.K.Baskarapandian, Spl.G.P.

O R D E R

[Order of the Court was made by S.S.SUNDAR, J.]

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the 2nd respondent to complete the proceedings based on letter issued by the 1st respondent on 28.11.2018 within the stipulated time by this Court.

2.The petitioner states that he is a resident of Oothikulam Village and an extent of 0.12.90 Ares (30 cents) in S.No.449/20 has been classified as Natham. It is the case of the petitioner that one Chandramohan, S/o.Udayar, who does not belong to the said village had obtained house site patta for the said land. It is in the said circumstances, the petitioner has submitted a representation raising a doubt as to the genuineness of the claim of the said individual, who does not even reside in the village, The petitioner and few others have also submitted representations



in October 2018 to take action for cancellation of patta in respect of natham lands and to remove encroachment in respect of some other lands. The property classified as natham does not belong to Government. From the affidavit or documents, this Court cannot decide the title or lawful enjoyment of third parties to this writ.

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3.Having regard to the grievance expressed by the petitioner and the representations that have been submitted before the concerned Tahsildar and the District Collector, without going into the merits of the petitioner's representation, this Court is inclined to issue the following direction:

The second respondent is directed to consider the representation of the petitioner dated 29.10.2018 along with the representations submitted by others and pass orders in accordance with law, after giving sufficient opportunity to the persons interested, within a period of 6 weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

Arul

To

- 1.The District Collector,
Sivagangai District, Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.
- 3.The Tahsildar,
Kalaiyarkovil Taluk,
Sivgangai District.

+1CC TO MR.M.RAMU, Advocate Sr. No. 57491

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 56920

W.P. (MD) No.6987 of 2019

26.03.2019

TR (10.04.2019) 2P 6C