

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.07.2019****CORAM:****THE HONOURABLE MR. JUSTICE R. SURESH KUMAR****W.P. (MD) No. 14499 of 2019**

WEB COPY

M.Sankarapandi Nadar

... Petitioner

Vs.

1. The District Revenue Officer,  
Office of the District Collector,  
Chockurakulam, Tirunelveli

2. The Revenue Divisional Officer,  
Cheranmadevi  
Tirunelveli District.

3. T.R.Kallapiran

... Respondents

(R3 has been impleaded as per the order  
of this Court dated 22.07.2019)

**PRAYER :** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2<sup>nd</sup> respondent to take action on the basis of the representations sent by the petitioner on 24.12.2018 and 31.12.2018 by inspecting the property situate in S.No.103/1 in Kallikulam Village, Nanguneri Taluk, Tirunelveli District to declare that the land was not entitled to exemption as per S.73 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 as amended by Act 17/70 within the time to be stipulated by this Court.

For Petitioner : Mr.V.K.Vijayaragavan

For Respondents : Ms.VPM.Vaishnavi

Government Advocate

**ORDER**

The prayer sought for in this writ petition is for a writ of mandamus to direct the 2<sup>nd</sup> respondent to take action on the basis of the representations sent by the petitioner on 24.12.2018 and 31.12.2018 by inspecting the property situate in S.No.103/1 in Kallikulam Village, Nanguneri Taluk, Tirunelveli District to declare that the land was not entitled to exemption as per S.73 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 as amended by Act 17/70.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents. Sine no adverse order is going to be passed against the third respondent, who has been newly impleaded, notice to him is dispensed with.



3. The petitioner has filed a petition before the Revenue Divisional Officer, the second respondent, on 24.12.2018 with regard to the entrustment of the land already assigned to him. Since the same has not been disposed of by the second respondent, the petitioner is before this Court with this writ petition.

4. I have heard the learned Government Advocate for the official respondents, who would submit that, since the said representation by way of petition is filed by the petitioner against the newly impleaded third respondent, the second respondent, after hearing both sides, would decide the same on merits within a time frame.

5. Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of the writ petition with the following direction:

That the second respondent is directed to consider the petition dated 24.12.2018 filed by the petitioner before the second respondent and decide the same on merits and in accordance with law, after hearing both the petitioner as well as the third respondent, who has now been impleaded as one of the party respondent in the writ petition, after affording an opportunity by sending separate notices and final order, after considering the said petition, shall be passed by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS )

To

1. The District Revenue Officer,  
Office of the District Collector,  
Chockurakulam  
Tirunelveli

2. The Revenue Divisional Officer,  
Cheranmadevi  
Tirunelveli District.

+1 CC to SPL GP ( SR-76860[F] dated 23/07/2019 )

**W.P. (MD) No. 14499 of 2019**  
**22.07.2019**