



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.16178 of 2019

K.Jeyaraman

... Petitioner

-Vs-

1.The District Collector,
O/o.The District Collector,
Thanjavur District.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Pattukottai Taluk,
Thanjavur District.

3.The Tahsildar,
O/o.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

4.Muthaiyan

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 3rd respondent to consider the proceedings made by the 2nd respondent in O.Mu.527/2018/A4 dated Ni.02.2018 by consider the petitioner's representation dated 29.01.2018 within the period that may be stipulated by this Court.

For Petitioner : Mr.S.Kameswaran

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP
for RR1 to 3

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 3rd respondent to consider the proceedings made by the 2nd respondent in O.Mu.527/2018/A4 dated Ni.02.2018 by considering the petitioner's representation dated 29.01.2018 within the period that may be stipulated by this Court.



2. Heard Mr.S.Kameswaran, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents. Since no adverse order is going to be passed against the 4th respondent, notice to him is dispensed with.

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3. The petitioner raised an objection by his representation dated 29.01.2018 to the respondents, with regard to the public pathway at S.No.46/8, 46/12-0150 covered under patta No.1439, which is a natham poramboke land situated at Sithukadu, Kalathur Post, Thanjavur District and pursuant to which, a proceedings was issued by the 1st respondent on 22.02.2018, whereby, the 3rd respondent was directed to consider the representation of the petitioner and take a decision thereon and report to the 1st respondent. Similar directive was issued by the 2nd respondent also on 23.02.2018 to the 3rd respondent. However, till date, no action seems to have been taken by the 3rd respondent. Therefore, the petitioner is before this Court.

4. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, as per the directive of the 1st and 2nd respondents, the representation of the petitioner dated 29.01.2018 would be decided by the 3rd respondent, after hearing the 4th respondent also, within a time to be stipulated by this Court.

5. Having regard to the said submissions made by the learned counsel appearing on both sides, with the consent of both sides, this writ petition is disposed of, at the admission stage itself, with the following direction:

"The petitioner's representation dated 29.01.2018, as directed by the respondents 1 and 2 by way of their proceedings dated 22.02.2018 and 23.02.2018 respectively to the 3rd respondent, shall be considered, on merits and in accordance with law and final orders shall be passed thereon, within a period of 6 weeks from the date of receipt of a copy of this order, of course, after hearing both the petitioner as well as the 4th respondent by issuing them separate notices."

6. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The District Collector,
O/o.The District Collector,
Thanjavur District.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Pattukottai Taluk,
Thanjavur District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

+1 CC to Mr.S.KAMESWARAN, Advocate SR-76603.
+1 CC to SPL GP SR-77248.

**Order made in
W.P. (MD) No.16178 of 2019**

Dated:

22.07.2019

CS(06.09.2019) 3P 6C