



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P(MD)No.18342 of 2019

R.Vallinayagam

... Petitioner

/Vs./

The Tahsildar/Record Officer,
Cultivating Rights under Act 10 of 1969,
Tahsildar Office,
Palayamkottai,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent herein to consider the petitioner's representation dated 07.08.2019 and pass appropriate orders recording the petitioner's name regarding Tenancy Rights in respect of land in Nanja S.No.192/A1 measuring 2.72 acres, Vellakovil Village, Palayamkottai, Tirunelveli District under the Tamil Nadu Agricultural lands Record of Tenancy Rights Act, 1969 within a time stipulated by this Court.

For Petitioner : Mr.S.Vashik Ali

For Respondent : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Mr.S.Vashik Ali, learned counsel on record for writ petitioner is before this Court.

2. Mr.K.Mu.Muthu, learned Additional Government Pleader, accepts notice on behalf of respondent.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 07.08.2019 wherein writ petitioner has made a



plea regarding what according to the writ petitioner are his tenancy rights.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 07.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the respondent is the authority who shall consider the aforementioned representation dated 07.08.2019 made by the writ petitioner (page Nos.33 & 34 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 07.08.2019 shall be disposed of by the respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the office of the respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

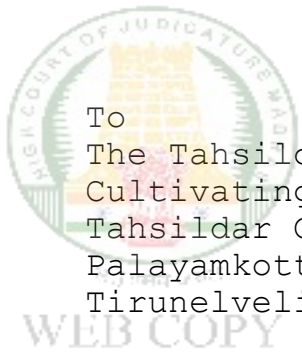
10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar



To
The Tahsildar/Record Officer,
Cultivating Rights under Act 10 of 1969,
Tahsildar Office,
Palayamkottai,
Tirunelveli District.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-86873[F] dated
16/09/2019)

+1 CC to M/s.SPL GP (SR-87236[F] dated 17/09/2019)

Order made in
W.P(MD)No.18342 of 2019
Dated:16.09.2019

SM
MS/26.09.2019/3P.4C