



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.20200 of 2019

Thangaraj

... Petitioner

vs.

1.The District Collector,
Office of the District Collector,
Pudukottai District.

2.The Tahsildar,
Office of the Tahsildar,
Ponnamaravathy,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 21.08.2019 and consequently direct the respondent to earmark the petitioner property at 'C' schedule house site property to an extent 0.02.05 Ares 6 Cents in T.S.No.439/2, situated at Old Ward No.14, New Ward.No.6, Ambalam Lane, Ponpathupatti Ponnamaravathy East Village, Ponnamaravathy East Taluk, Ponnamaravathy Sub Registration District, Thirumayam Taluk, Karaikudi Registration District within the time stipulated by this Court.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.K.Mu.Muthu,
Additional Government Pleader.

ORDER

Mr.R.Senthil Kumar, 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 two respondents.

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 21.08.2019 wherein writ petitioner requested a house site to be measured and boundaries to be fixed or in other words writ petitioner has sought the house site to be localised with specific boundaries. To be noted, according to writ petitioner, the house site belongs to him.

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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 second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 21.08.2019 on its own merits and in accordance with law.

6. Learned State counsel submitted that the second respondent shall consider the aforementioned representation dated 21.08.2019 made by the writ petitioner (page Nos.22 and 23 of the typed set of papers forming part of the case file) within a time frame stipulated by this Court.

7. The aforesaid representation dated 21.08.2019 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight 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 second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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 second respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

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

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar



To

1.The District Collector,
Office of the District Collector,
Pudukottai District.

2.The Tahsildar,
Office of the Tahsildar,
Ponnamaravathy,
Pudukottai District.

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-87847[F] dated
19/09/2019)

+1 CC to M/s.SPL GP (SR-88351[F] dated 20/09/2019)

W.P (MD) No.20200 of 2019
19.09.2019

ps

JM/04.10.2019/3P/5C