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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.13371 of 2020

and

WMP No.16507 of 2020

R.V.Muralitharan Alias Velayuthan Muralitharan

S/o. of Velayuthan

Rep. by its Power Agent

B. Sasikumar

...Petitioner

Vs.

1 The Commissioner of Land Reforms
Ezhilagam, Chennai.

2 The Revenue Divisional officer
Udumalpet, Tiruppur District.

3 The Tahsildar
Udumalpet, Tiruppur District.

4 D. Gunaselan

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st Respondent to consider the representation of the Petitioner dated 01.07.2020 seeking not to interfere with the peaceful possession and enjoyment of the property belonging to the Petitioner situated at S.No.300/B, Kallapuram village, Udumalpet Taluk, Tiruppur District, except due process of law.

For Petitioners : Mr.N.Umapathi

For Respondents 1 to 3:

Mr.S.N.Parthasarathi
Government Advocate

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 01.07.2020 within the time frame fixed by this Court.



2. The case of the petitioner is that he has purchased the subject property along with other properties situated adjacent to the subject property, by virtue of a registered sale deed dated 31.12.2008.

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3. The further case of the petitioner is that the fourth respondent is claiming a right over the subject property and has approached the respondents 1 to 3 to take over the property to be used as a cart track. According to the petitioner, the subject property has been wrongly added in the Land Reforms Proceedings and therefore, the petitioner made a representation to the first respondent on 01.07.2020 and since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.N.Umapathi, learned counsel for the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate for the respondents 1 to 3 and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the first respondent to consider the representation made by the petitioner on 01.07.2020 and to deal with the same strictly in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The first respondent shall also issue notice to the fourth respondent before conducting the enquiry and passing the final order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the representation dated 01.07.2020 and all other relevant documents and also with a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

mra



To

1 The Commissioner of Land Reforms
Ezhilagam, Chennai

2 The Revenue Divisional officer
Udumalpet, Tiruppur District

3 The Tahsildar, Udumalpet, Tiruppur District

+1 cc to M/s.N.Umapathi Advocate sr31656

+1 cc to the Government Pleader High Court Madras
sr 31927

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