

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :29.01.2020
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27874 of 2014
and
M.P.No.8738 of 2016

S.Kumar

...

Petitioner

Vs

The Tahsildar/Tamil Nadu
Agricultural Lands
Tenancy Recording Officer,
Sathiamangalam,
Erode District.

Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of Mandamus directing the respondent to forthwith consider and pass order on the application of the petitioner dated 08.04.2014 under Section 5 of the Tamil Nadu Agricultural Lands Record of Tenancy Right Act, 1969 within a stipulated period.

For Petitioner : Mr.K.Selvaraj

For Respondent : Ms.K.Bhuvaneswari

Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus to direct the respondent to forthwith consider and pass orders on the application of the petitioner dated 08.04.2014 under Section 5 of the Tamil Nadu Agricultural Lands Record of Tenancy Right Act, 1969 within the stipulated time to be fixed by this Court.

2.The respondent has filed his counter affidavit and in paragraph No.4 of the counter affidavit filed by the respondent, he has admitted the receipt of the application dated 08.04.2014 filed by the petitioner under Section 5 of the Tamil Nadu Agricultural Lands Record and Tenancy Right Act, 1969 to register his name as a tenant. But, it is stated that the petitioner has not submitted any records for cultivating the property.

3.The learned counsel for the petitioner submitted that the petitioner will produce all the records to prove his tenancy at the time of the enquiry to be conducted by the respondent in the application filed by the petitioner under Section 5(2) of the Tamil Nadu Agricultural Lands Record of Tenancy Right Act, 1969.

4.Recording the submission made by the learned counsel appearing for the petitioner as well as after recording the counter affidavit filed by the respondent, this Court directs the respondent to dispose of the application filed by the petitioner on 08.04.2014 under Section 5(2) of the Tamil Nadu Agricultural Lands Record of Tenancy Right Act, 1969 within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that the petitioner has to produce all the necessary documents in support of his case before the respondent in the enquiry proceedings.

With the aforesaid directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CJ conf)

/true copy/
Sub Asst. Registrar

sms
To

The Tahsildar/Tamil Nadu
Agricultural Lands
Tenancy Recording Officer,
Sathiamangalam,
Erode District.

+1 cc to Mr.K.Selvaraj Advocate sr6888
+1 cc to Government pleader HighCourt sr7645

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