

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.19669 of 2020

(Heard through VC)

Lakshmi

.. Petitioner

-vs-

1.The District Collector,
Salem.

2.The Revenue Divisional Officer,
Attur.

3.Kannaiyan

4.Krishnan

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the first respondent to take suitable action on the petition submitted by the petitioner on 09.11.2020 to enable the petitioner to harvest the crops cultivated in lands Ramanaickampalayam village in S.F.No.628/1, 629/3, Attur taluk Salem District.

For Petitioner : Mr.S.Muthukrishnan

For RR1 & 2 : Mr.V.Shanmugasundar
Special Government Pleader

सत्यमेव जयते
O R D E R

With the consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this writ petition is for a direction to the first respondent to take suitable action on the petition submitted by the petitioner on 09.11.2020 to enable the petitioner to harvest the crops cultivated in lands at Ramanaickampalayam village in S.F.No.628/1, 629/3, Attur taluk Salem District.

3. The petitioner and the respondents 3 and 4 are belonging to the same village and owning agricultural lands. The respondents 3 and 4 had borrowed a sum of Rs.90,000/- from the petitioner and promised to pay interest for the sum of Rs.60,000/-. For the balance sum of Rs.30,000/-, instead of

paying interest, they allowed the petitioner to cultivate their lands until they repay the money to the petitioner. They have also executed an affidavit to that effect. The petitioner has been cultivating the land of the respondents 3 and 4, since they have not repaid the amount as agreed by them. Now the tapioca crop is ready for harvest. While so, the respondents 3 and 4 prevented the petitioner from harvest tapioca crop and making law and order problem. Hence, the petitioner has submitted a representation to the first respondent on 09.11.2020 to give protection for harvesting the standing crops in the above said land. As there was no action, the present writ petition has been filed.

4. Heard the learned counsel appearing on both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the second respondent/R.D.O. to consider the representation of the petitioner dated 09.11.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as the respondents 3 and 4 and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1.The District Collector,
Salem.

2.The Revenue Divisional Officer,
Attur.

+1cc to the Government Pleader, S.R.No. 43036

W.P.No.19669 of 2020