

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.15022 of 2017

M.Thiacaraj

.. Petitioner

Vs.

1.The District Collector of Nagapattinam
Velippalayam
Nagapattinam Post and District

2.District Revenue Officer
Nagapattinam Post and District

3.Revenue Divisional Officer
Nagapattinam Post and District

4.The Tahsildar
Vedaranyam Taluk, Vedaranyam Post
Nagapattinam District

5.Village Administrative Officer
Kuravapulam Vedaranyam Taluk
Nagapattinam District

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representations dated 10.2.2016 and 29.2.2016 and to pass necessary orders after granting a personal hearing to the petitioner.

For Petitioner : Mr.V.Raghipathi

For Respondents : Mr.R.S.Selvam,
Government Advocate

ORDER

The present writ petition has been filed for a direction to the first respondent to consider petitioner's representation dated 10.2.2016 and 29.2.2016 and to pass necessary orders, after granting an opportunity of personal hearing to the petitioner.

2. The case of the petitioner is that he is the owner of agricultural lands totally measuring about 20.00.00 Hectares in Vedaranyam Taluk. His lands were affected due to floods during fasli year 1425. The Government distributed flood relief by way of cash as compensation to most of the agriculturists in Vedaranyam Taluk. On 20.12.2013, the petitioner herein submitted a representation to the then VAO.

3. According to the petitioner, on 11.12.2015, the Village Administrative Officer, Kuravapulam, Vedaranyam Taluk, has issued a certificate wrongly that the petitioner is the owner of only 2.97.00 hectares. But without calculating the entire land, the petitioner was paid Rs.1,03,200/- as flood relief for the land of 2.78.00 hectares instead of 20.00.00 hectares. On 9.1.2016, the petitioner has sent a notice to the 5th respondent requesting him to pay the entire flood relief for his total land measuring about 20.00.00 hectares. The petitioner has sent a representation dated 10.2.2016 to the first respondent pointing out the mistakes committed by the 5th respondent. Again on 29.2.2016, the petitioner has presented another petition in person to the 1st respondent. But till date the respondents have neither considered his representations nor paid the flood relief for the entire land. Hence the present writ petition.

4. Upon notice, the fourth respondent, namely the Tahsildar, Vedaranyam Taluk, has entered appearance and filed a counter affidavit. Learned Government Advocate, appearing for the respondents submitted that the petitioner is not cultivating 20.00.00 hectares of land as alleged by him and he has been cultivating only 0.74.0 hectare. Therefore, the crop relief to that extent was granted.

5. Heard Mr.V.Raghupathi, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate, appearing for the respondents and perused the materials available on record.

6. Factual aspects of the case has not been gone into by this court. The representations given by the petitioner on 10.2.2016 and 29.2.2016, may be considered by the respondents 1 to 4, by affording an opportunity of personal hearing and verifying documentary evidence. It is open to the petitioner to furnish a fresh copy of the representations dated 10.2.2016

and 29.2.2016, within a period of two weeks from the date of receipt of a copy of this order to the respondents 1 to 4 and the respondents 1 to 4 are directed to consider the same, within a period of four weeks from the date of receipt of a copy of the representations, stated supra.

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

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Asr

To

- 1.The District Collector of Nagapattinam
Velippalayam
Nagapattinam Post and District
- 2.District Revenue Officer
Nagapattinam Post and District
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Nagapattinam Post and District
- 4.The Tahsildar
Vedaranyam Taluk, Vedaranyam Post
Nagapattinam District
- 5.Village Administrative Officer
Kuravapulam Vedaranyam Taluk
Nagapattinam District.

+1cc to MR.V.Raghupathi, Advocate SR.21504
+1cc to the Government Pleader SR.22169, 22179

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PP(CO)
CB(19/06/2020)

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