

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.17678 of 2017

M. Arumugam

...Petitioner

v.

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai

2. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.

3. The Divisional Engineer,
Highways Department,
Tiruvannamalai

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 1st respondent to consider the representation dated 31.01.2017 sent by the petitioner within a stipulated period.

For Petitioner : Mr. K. Govi Ganesan
For Respondents : Ms. A. Madhumathi,
Special Govt. Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 31.01.2017 sent by the petitioner within a time frame.

2. The petitioner has given his representation dated 31.01.2017 to hear his objections and to cancel the modification made in the revenue records and to give him an opportunity to present his representation with relevant records.

3. Mr. K. Govi Ganesan, learned counsel appearing for the petitioners submitted that though the petitioner has given his representation as early as on 31.01.2017, the authorities have not passed any order so far.

4. Ms. A. Madhumathi, learned Special Government Pleader appearing for the respondents submitted that the land in question has been originally classified as "Kulam", however, by mistake, it was re-classified as "Natham Poramboke", which has been corrected and re-classified again as "Kulam". Further, the learned Special Government Pleader appearing for the respondents submitted that the 2nd respondent is the competent authority to pass orders on the petitioner's representation dated 31.01.2017.

5. It is brought to the notice of this Court that the petitioner has given his representation only to the 1st respondent and not to the 2nd respondent.

6. In these circumstances, I direct the 1st respondent to forward the representation dated 31.01.2017 given by the petitioner to the 2nd respondent for passing appropriate orders and on receipt of the said representation, the 2nd respondent is directed to consider the representation dated 31.01.2017 and pass orders, on merits and in accordance with law, after giving an opportunity of hearing to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai
2. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.
3. The Divisional Engineer,
Highways Department,
Tiruvannamalai

+1cc to M/s.Govi Ganesan, Advocate, S.R.No.37251

+1cc to the Government Pleader, S.R.No.37388

W.P.No.17678 of 2017

AJS (CO)

RV(11/12/2020)