



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.07.2020

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THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.7937 of 2020

M.Malaiyandi

...Petitioner

Vs

1.The District Collector,
Office of the Collectorate, Pudukottai.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Iluppur Taluk, Pudukottai District.

3.The Tahsildar, Taluk Office,
Ponnamaravathi Taluk,
Pudukottai District.

4.Devi

5.Subramaniyan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd respondent to complete the enquiry as per the direction of the 2nd respondent vide his proceedings in O.Mu.A3/1920/2020 dated 14.05.2020 on the basis of the petitioner's representation dated 05.05.2020.

For Petitioner	: Mr.D.Senthil
For R1 to R3	: Mr.R.Sethuraman Special Government Pleader

ORDER

This writ petition is filed to direct the 3rd respondent to complete the enquiry as per the direction of the 2nd respondent vide his proceedings in O.Mu.A3/1920/2020 dated 14.05.2020.

2.The learned counsel appearing for the petitioner would submit that in the year 2006, the Government had allotted free lands for the purpose of agriculture to the landless people. Under the said scheme, by proceedings dated 12.09.2006, the 4th



respondent obtained free patta for the land in S.No.202/11 measuring to an extent of 0.74.5 hectares in Thenur Village, Thirumayam Taluk, Pudukottai District with certain conditions, particularly, without getting prior permission from the respondents 2 and 3, she did not sale the aforesaid land for a period of 30 years. But, in not complying with the aforesaid conditions, she sold the aforesaid property to the 5th respondent herein and the 5th respondent alone is enjoying the aforesaid property, which is against the allotment order dated 12.09.2006.

3.The learned counsel would further submit that by narrating all the aforesaid facts, the petitioner made a representation on 05.05.2020 to the respondents 1 to 3 to take action against the respondents 4 and 5 and to recover the aforesaid lands allotted to the 4th respondent. But, on such representation no action has been taken till date. Hence, left with no other alternative, the petitioner has filed the present writ petition for the relief stated supra.

4.In reply, the learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the petitioner's representation dated 05.05.2020 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned Special Government Pleader, without expressing any opinion on the merits of the case, this Court directs the 3rd respondent to consider the petitioner's representation dated 05.05.2020 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also directed to cooperate for enquiry and to produce all the relevant documents, if any, before the 3rd respondent.

6.This Writ Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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KMV(CO)
TR(29.07.2020)3P 4C