



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 22.10.2020
CORAM
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P. (MD) .No.15010 of 2020
and
W.M.P (MD) .No.12648 of 2020

Ramasamy

.. Petitioner

vs.

1.The Commissioner,
(Land Administration)
Elilagam,
Chennai-600 005.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

4.The Executive Engineer,
Public Works Department (Water)
Sivagangai.

.. Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents interfering with the peaceful possession and enjoyment of the petitioner's property in S.No.192, Boothakudi Village, Kalathur Group, Sivagangai District, till the first respondent consider the representation of the petitioner dated 11.03.2020 for change of classification of land in Survey No.192, Boothakudi Village, kalathur Group, Sivagangai District.

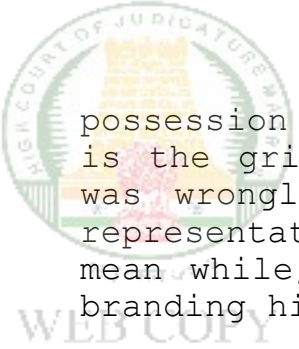
For Petitioner :Mr.J.Anandkumar

For Respondents :Mr.G.Arjunan

Government Advocate

O R D E R

The petitioner has come forward with this writ petition for issuance of writ of mandamus forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioner's property in S.No.192, Boothakudi Village, Kalathur Group, Sivagangai District, till the first respondent consider the representation of the petitioner, dated 11.03.2020.



possession and enjoyment of the petitioner for time immemorial. It is the grievance of the petitioner that the land in Survey No.192 was wrongly classified as Kanmoi Poramboke and hence, he made a representation to the first respondent for reclassification. In the mean while, the respondents are attempting to evict the petitioner branding him as an encroacher of the land.

3.Mr.J.Anandkumar, learned counsel appearing for the petitioner would state that it would suffice if a direction is issued to the first respondent to consider the representation of the petitioner in accordance with law.

4.Mr.G.Arjunan, learned Government Advocate appearing for the respondents would state that the first respondent is the competent authority to consider the grievance of the petitioner and he is ready to pass an order on the representation of the petitioner, dated 11.03.2020.

5.In the light of the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the first respondent to pass orders on the representation of the petitioner dated 11.03.2020 purely on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties if any, within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ns/Ksa

To

1.The Commissioner,
(Land Administration)
Elilagam,
Chennai-600 005.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Devakottai Taluk,
Sivagangai District.



4.The Executive Engineer,
Public Works Department (Water)
Sivagangai.

+1 CC to M/s.GP (SR-20657[F] dated 28/10/2020)

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bk (CO)
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