



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.5956 of 2018

WEB COPY

V.Parvathi

... Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Dindigul, Dindigul District.

3.The Tahsildar,
Nilakottai Taluk
Nilakottai
Dindigul District.

4.The President,
Jambuduraikkottai Village Panchayat,
Nilakottai Taluk
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 19.02.2018 requesting not to cancel the assignment of land given to the petitioner under the Land Assignment Special Scheme for the poor agricultural families, within the period stipulated by this Court.

For Petitioner : Mr.N.Sathishbabu

For Respondents : Mr.M.Muniyasamy

Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition seeking a direction to the 1st respondent to consider and pass orders on the petitioner's representation dated 19.02.2018 requesting not to cancel the assignment of land given to the petitioner under the Land Assignment Special Scheme for the poor agricultural families, within the period stipulated by this Court.

2.The case of the petitioner is that under landless poor category, the petitioner was assigned with 2 acres of land in S.No.530/5 to an extent of 0.36.5 acres in Jambuduraikkottai Village. From the date of such assignment, the petitioner is eking out her livelihood by doing agricultural activities. While so, a show cause notice dated 19.09.2017 has been issued by the third respondent to



the petitioner and other beneficiaries stating that why the assignment of land should not be cancelled on the ground of non agricultural activities. For the said show cause notice, the petitioner appeared and gave her explanation. Subsequently, on 19.02.2018, the petitioner sent a representation to the 1st respondent on 19.02.2018. Thereafter, on 13.03.2018, the 2nd respondent has again issued a show cause notice, for which, the petitioner submitted an explanation on 16.03.2018. Since the petitioner's representation has not been considered so far, the petitioner is before this Court with this writ petition.

3. The learned counsel for the petitioner would submit that the petitioner is eking out her livelihood from the lands assigned by doing agricultural activities and hence, if a direction is issued to the respondents to consider the representation of the petitioner, the petitioner would be satisfied.

4. Heard the learned Additional Government Pleader on the aforesaid submissions.

5. Considering the facts and circumstances of the case, without going into the merits of the matter, the first respondent is directed to consider the request of the petitioner dated 19.02.2018 and pass orders thereon in accordance with law within a period of six months from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

RR

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.

To

1. The District Collector,
Dindigul District, Dindigul.



2.The Revenue Divisional Officer,
Dindigul, Dindigul District.

3.The Tahsildar,
Nilakottai Taluk
Nilakottai
Dindigul District.

+1 CC to M/s.SPL GP (SR-22356[F] dated 20/11/2020)

W.P. (MD)No.5956 of 2018
19.11.2020

MA (CO)
KB(14.12.2020) 3P 5C