



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.4262 of 2021

J.Soundararajan

... Petitioner

Vs.

1. State of Tamil Nadu
rep. by the Principal Secretary to Government
Animal Husbandry and Fisheries Department
Secretariat, Fort St. George
Chennai 600 009.

2. The District Collector
Office of the District Collector
Mayiladuthurai District.

3. The Tahsildar
Sirkali Taluk
Mayiladuthurai District.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents not to convert the lands in S.No.443/2 measuring about 6 acres which has been earmarked for "Mandhaiveli Poramboke" for any other purpose or transferring the said lands to any other departments and directing the third respondent to consider the representation of the petitioner dated 20.01.2021.

For Petitioner : Ms.R.Ramya

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader



ORDER
(Made by Senthilkumar Ramamoorthy, J.)

The petitioner seeks to prevent the conversion of lands in S.No.443/2 in Annankoil Village, which were classified as mandaiveli poramboke in the revenue records.

2. The writ petitioner asserts that though a representation dated 20.01.2021 was issued in this connection to the respondents, the respondents are proceeding to undertake such conversion without responding to the said representation.

3. Learned counsel for the petitioner asserts that when an alternative land is available for the purpose of establishing the RTO office, this land should not be considered for such purpose.

4. Learned Special Government Pleader submits, on instructions, that a Government Order was issued in accordance with applicable law for the conversion of the lands in S.No.443/2, so as to enable the use of such lands for the construction of the RTO office and that in spite of being aware of the same, the writ petitioner has filed the present petition for a writ of Mandamus, instead of challenging the Government Order for conversion.

5. In view of the conflicting contentions, without examining the merits or tenability of the petitioner's representation dated 20.01.2021, the respondents are directed to consider the petitioner's representation and dispose of the same by a speaking order, within three months from the date of receipt of a copy of this order.

6. W.P.No.4262 of 2021 is disposed of on the above terms. There will be no order as to costs. Consequently, WMP No.4869 of 2021 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kpl
To

1. The Principal Secretary to Government
Animal Husbandry and Fisheries Department
Secretariat, Fort St. George
Chennai 600 009.



2. The District Collector
Office of the District Collector
Mayiladuthurai District.

3. The Tahsildar
Sirkali Taluk
Mayiladuthurai District.

+1cc to M/s.R.Ramya , Advocate SR.No. 16973

+1 cc to Government Pleader Sr.No. 17131

W.P.No.4262 of 2021

A.SK(31.03.2021)