



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

WEB COPY

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.NO. 20757 OF 2021

A.B.Moorthy

...Petitioner

Vs

The District Collector,
Thiruvannamalai District,
Thiruvannamali.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the Review Application of the petitioner dated 12.05.2016 in accordance with law within a reasonable time as may be fixed by the Court..

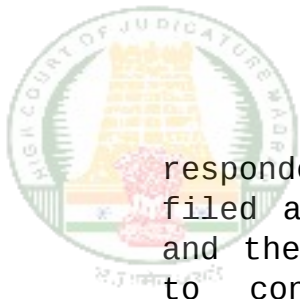
For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.Yogesh Kannadasan
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to consider the Review Application of the petitioner dated 12.05.2016.

2. The case of the petitioner is that his father namely Appadurai had a D.C. land at Vengikkal Village in Survey No.256/1 - 0.10.0 Hectares and he had absolute possession and enjoyment of the property since 2007. On 05.12.2013, his father made a representation before the respondent to land assignment in the aforesaid property under the Revenue Standing Order No.15(22) deals with special valuable lands. Thereafter, another representation dated 18.02.2015 sent to the respondent, but the



respondent has not taken any action. Subsequently, his father filed a writ petition in W.P.No.5021 of 2015 before this court and the same was ordered on 26.02.2015 directing the respondent to consider the representation of the petitioner dated 18.02.2015 within a period of ten weeks. During the pendency of the above proceedings, his father died on 23.06.2015. After his demise, the petitioner and other family members are in possession and enjoyment of the aforesaid property by constructing a house and received the electricity connection and paying all necessary taxes paid to the Vengaikkal Panchayat. Thereafter, the petitioner appeared in the aforesaid proceedings before the respondent, and an order was passed on 18.04.2016 by him stating that his request was rejected. Aggrieved by the same, he filed a Review Application dated 12.05.2016 before the respondent, but, till date, no order has been passed on the said application. Hence, he has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondent to consider the petitioner's Review Application dated 12.05.2016 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's Review Application or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondent to consider the petitioner's Review Application dated 12.05.2016 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as necessary parties concerned within a period of six months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

msm



To

The District Collector,
Thiruvannamalai District,
Thiruvannamali.

+1cc to the Government Pleader SR.No.50868

W.P.No.20757 of 2021

PA(CO)
RVM(10/11/2021)