

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Writ Petition No.2712 of 2017

V.Madhavan

... Petitioner

-Vs-

- 1.The District Collector
Kancheepuram District
Kancheepuram.
- 2.The Sub Collector / Revenue
Divisional Officer, Chengalpet
Sub Collector Office, Chengalpet
Kancheepuram District.
- 3.Tahsildar, Chengalpet Taluk
Kancheepuram District.
- 4.The Special Tahsildar
(Land Acquisition), Maraimalai Nagar
Scheme, Maraimalai Nagar, Katankulathur
Kancheepuram District. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to allot alternative land sites to the petitioner for his livelihood situated in Survey Nos.491/1, 491/2, 423/2H and 132 measuring to an extent of 1.20.5 Hectares in Sengundram Village Chengalpet Taluk Kancheepuram District.

For Petitioner : Mr.D.Babu

For Respondents : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to allot alternative land sites to the petitioner for his livelihood situated in Survey Nos.491/1, 491/2, 423/2H and 132 measuring to an extent of 1.20.5 Hectares in Sengundram Village, Chengalpet Taluk Kancheepuram District.

2. The case of the petitioner is that, the land in S.No.290 and 291 at Sengundram Village, Chengalpet Taluk,

Kancheepuram District were acquired for the expansion of Maraimalai Nagar. In lieu of the same, in order to get alternative land, the petitioner, whose land has been acquired, seems to have given a representation to the respondents especially the first respondent District Collector on 29.12.2015 and the same having been considered by the first respondent, was forwarded by the first respondent to the fourth respondent Special Tahsildar on 22.02.2016 in Na.Ka.No.1688/2015/F2 to act upon immediately and report the same. However, so far the fourth respondent has not acted upon. Therefore, the petitioner has approached this Court with the aforesaid prayer.

3. Heard Mr.D.Babu, learned counsel for the petitioner, who would submit that, let there be a direction to the fourth respondent to act upon on the proceedings or memo issued in this regard by the District Collector dated 22.02.2016 and pass final orders thereon and in that case, the petitioner would be satisfied.

4. Heard Mr.Inbanathan, learned Additional Government Pleader, who would submit that, as per the directions issued by the District Collector vide his proceedings in Na.Ka.No.1668/2015/F2 dated 22.02.2016, action would immediately be taken by the fourth respondent and accordingly a decision would be taken and communicated to the petitioner as well as higher authorities as directed in the said memo, within a time frame.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, and have perused the materials placed on record.

6. In view of the innocuous nature of the prayer sought for herein, this Court is inclined to dispose of this writ petition with the following order. That there shall be a direction to the fourth respondent to act upon the representation of the petitioner dated 29.12.2015, which was forwarded with a direction by the first respondent District Collector, vide his proceedings in Na.Ka.No.1688/2015/F2 dated 22.02.2016 and pass orders on merits and in accordance with law and communicate the same to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Sub Collector / Revenue
Divisional Officer, Chengalpet
Sub Collector Office, Chengalpet
Kancheepuram District.

3.Tahsildar, Chengalpet Taluk
Kancheepuram District.

4.The Special Tahsildar
(Land Acquisition), Maraimalai Nagar
Scheme, Maraimalai Nagar, Katankulathur
Kancheepuram District.

+1cc to Mr.D.Babu, Advocate SR.No.23586

+1cc to Government Pleader SR.No.24291

W.P.No.2712 of 2017

GPL (CO)
GMY (16/06/2021)



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