



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.19172 of 2021

S.Marikkannu

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Manager,
TASMAC,
Ramanathapuram,
Ramanathapuram District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider and pass order on the petitioner's representation dated 04.10.2021 within a stipulated time.

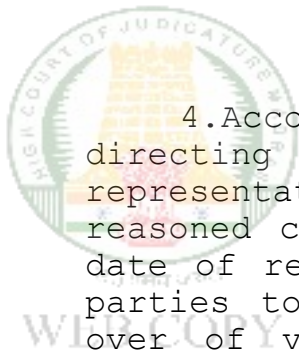
For Petitioner	: Mr.R.Rajesh
For R1	: Mr.K.S.Selva Ganesan Counsel for State
For R2	: Mr.Jameel Arasu

ORDER

The petitioner seeks consideration of a representation dated 04.10.2021 by which the second respondent was called upon to vacate the premises of the petitioner.

2.The petitioner states that she is the owner of about 2300 sq.ft. of land in S.No.4/1A. At the request of the second respondent, it is stated that the said land was leased to the second respondent on monthly rent of Rs.3,500/-. The petitioner states that the relevant agreement was for a period of two years which expired on 26.08.2019. In spite of calling upon the second respondent to vacate the premises, it is stated that the second respondent did not do so. The writ petition is filed in these facts and circumstances.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice for the first respondent and Mr.Jameel Arasu, learned Standing Counsel, accepts notice for the second respondent. Mr.Jameel Arasu submits, on instructions, that a sum of Rs.2,00,000/- was received at the time that the agreement was entered into by way of an advance. Accordingly, it is stated that the second respondent is ready and willing to vacate the premises provide the said amount is repaid. The petitioner states that he is ready and willing to repay such amount.



4. Accordingly, W.P.(MD)No.19172 of 2021 is disposed of by directing the second respondent to consider the petitioner's representation dated 04.10.2021 and dispose of the same by a reasoned communication within a period of two (2) months from the date of receipt of a copy of this order. It will be open to the parties to arrive at an understanding with regard to the handing over of vacant possession of the property upon receipt of the advance of Rs.2,00,000/- or otherwise. However, there will be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj*i*

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,
Ramanathapuram District,
Ramanathapuram.

2.The District Manager,
TASMAC,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.R.RAJESH, Advocate (SR-33302[F] dated 29/10/2021)

+1 CC to M/s.SPL.GP (SR-33208[F] dated 29/10/2021)

W.P(MD) .No.19172 of 2021
28.10.2021

KS(CO)

GC/PM (12.11.2021) 2P 5C