



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.02.2022
CORAM
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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W.P.No.1918 of 2022

Masilamani Reddy

...Petitioner

Vs.

1.The District Collector,
Tiruvallur District.

2.The Special District Revenue
Officer/ Competent Authority,
The Collector Head Office,
Thiruvallur District - 602 001.

3.The Special Tahsildar
Thiruvallur Taluk Office,
Thiruvallur District - 602 013.

4.Mr.Anandakumar

5.Mrs.Shyamala

6.Mr.Arumugam

7.Mr.Ravi

8.Mr.Mohanasundaram

...Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to permit the petitioner to participate in the enquiry for land acquisition proceedings on the basis of the petitioner's representation on 04.12.2021.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.M.Muthusamy
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 3 to permit the petitioner to participate in the enquiry for land acquisition proceedings on the basis of the petitioner's representation on 04.12.2021.

2.The case of the petitioner is that the subject property is the petitioner's ancestral property and he is in possession



and enjoyment of the same. While being so, he shifted his residence from the native village to M.G.R. Nagar, Pudumavilangai Village and taking advantage of his absence, the private respondents muted the revenue records in their favour. On coming to know about the same, the petitioner presented a petition to the District Collector, Tiruvallur District on 03.04.2018 seeking to cancel the patta fraudulently obtained by the fourth respondent. However, there is no response. Thereafter on 04.12.2021, the petitioner made representation to the first respondent to include him as party to the proposed land acquisition and to hear him before passing any award or compensation and since the same has not yet been considered, has filed this writ petition.

3.The learned Government Advocate appearing for the Official respondents submitted that already the Tahsildar vide letter dated 01.07.2019 called the petitioner as well as the private respondents to participate in the enquiry.

4.Heard the submissions made by the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the Official respondents. Since, this Court is not inclined to pass any adverse order as against the private respondents, notice to the private respondents is dispensed with.

5.Considering the submissions made on either side, this Court directs the petitioner to send a copy of the representation dated 04.12.2021 to the first respondent along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order, so as to enable the first respondent to pass appropriate orders. On receipt of the same, the first respondent is directed to consider the petitioner's representation dated 04.12.2021, on merits and in accordance with law and after affording opportunity to the petitioner as well as the private respondents, pass appropriate orders, within a period of twelve weeks thereafter.

6.This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar



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To

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The Collector Head Office,
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+1 CC to The Government Pleader sr 8995.

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SPD(CO)
SP(24/02/2022)