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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

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THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

W.P.No.7741 of 2022

S.N.Damani Infra Private Limited,
Represented by its
Authorized Signatory Mrs.S.Kalyani,
Having its office at:
No.New.No.19(8), Rajarathinam Street,
Kilpauk, Chennai - 600 010.

... Petitioner

Vs

1. The Commissioner,
Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The District Revenue Officer,
Office of the Collector,
1st floor, Thiruvallur District,
Thiruvallur - 602 001.
3. The Thasildhar,
Poonamalee Taluk,
Ettima Nagar, Poonamalee,
Chennai - 600 056.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and dispose the petitioner's representation dated 02.03.2022 and to pass suitable orders for the land situated in S.No.402/1D2 to an extent of 0.91.5 Ares situated at Kuthambakkam Village, Poonamalee Taluk, Thiruvallur District.

For Petitioner : Mr.V.Ramesh
for Mr.J.D.Srikanth Varma

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents to consider and dispose the petitioner's representation dated 02.03.2022 and to pass suitable orders for the land situated in S.No.402/1D2 to an extent of 0.91.5 Ares situated at Kuthambakkam Village, Poonamalee Taluk, Thiruvallur District.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, the petitioner made an application to the first respondent, dated 31.07.2018, for grant of assignment of the Government land which was occupied by the petitioner. The same was forwarded to the second respondent on 28.08.2018. However, till date no order has been passed on the same. Hence, this present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the second respondent to consider the petitioner's representation dated 31.07.2018 and pass appropriate order by considering the letter which was forwarded by the first respondent to the second respondent on 28.08.2018, within a particular time frame fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. Considering the facts and circumstances of the case, the petitioner claims that he is in occupation of the "Boomidhan Land". The assignment of "Boomidhan Land" to the petitioner, has to be decided only by the first and second respondents based on the representation of the petitioner. Therefore, without expressing any opinion on the merits of the case, the second respondent is directed to consider the representation of the petitioner dated 31.07.2018 which was forwarded by the first respondent on 28.08.2018 and after affording an opportunity of hearing to the petitioner, pass appropriate orders if the petitioner is eligible as per the Revenue Standing Order or Boomidhan Act, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The District Revenue Officer,
Office of the Collector,
1st floor, Thiruvallur District,
Thiruvallur - 602 001.
3. The Thasildhar,
Poonamalee Taluk,
Ettima Nagar, Poonamalee,
Chennai - 600 056.

+lcc to Mr.J.D.Srikanth Varma, Advocate, S.R.No.22654
+lcc to the Special Government Pleader, S.R.No.23653

W.P.No.7741 of 2022

SKM(CO)
CT 25/04/2022