



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3922 of 2022

S.Sivaguru

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Thasildar,
Devakottai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.02.2022 and ensuring them to maintain the lands in S.No.157 and S.No.174 as grass land and burial ground respectively.

For Petitioner : Mr.S.Sukumar
For Respondents : Mr.T.Amjad Khan
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 10.02.2022 and ensure that the respondents maintain the lands in S.No.157 and S.No.174 as grass land and burial ground respectively and pass orders within a time frame to be fixed by this Court.

2.The case of the petitioner is that in the aforementioned lands, there is a grass land and a burial ground which have been used by the villagers from time immemorial. However, according to the petitioner, he and the villagers apprehend that the said lands will be converted for the use of a refugee camp by the respondents. In such circumstances, the petitioner has given a representation on 10.02.2022 to the respondents to forbear them from converting the



said lands into a refugee camp. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.S.Sukumar, learned Counsel appearing for the petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents.

4.On instructions, learned Counsel for the respondents would submit that though there was a proposal with regard to S.No.157 as pleaded by the petitioner, the said proposal has to be approved by the Ministry of Animal Husbandry, Chennai. The said statement is recorded.

5.No prejudice would be caused to the respondents if the petitioner's representation referred to supra is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

6.Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 10.02.2022 to forbear the respondents from converting the lands in S.No.157 and S.No.174 into a refugee camp and pass final orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Thasildar,
Devakottai,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-10193[F] dated 04/03/2022)

+1 CC to M/s.S.SUKUMAR, Advocate (SR-10066[F] dated 04/03/2022)

ORDER MADE IN
W.P. [MD]No.3922 of 2022
03.03.2022

sb (CO)

TR(18.03.2022) 3P 6C