



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4702 of 2022

K.Thirulokachandar

... Petitioner

Vs.

1.The District Collector,
Kanniyakumari.

2.The Revenue Divisional Officer,
Kanniyakumari District, Nagercoil.

3.The District Revenue Officer,
Nagercoil, Kanyakumari.

4.The Tahsildar,
Agasteeswaram Circle,
Nagercoil,
Kanniyakumari District.

... Respondents

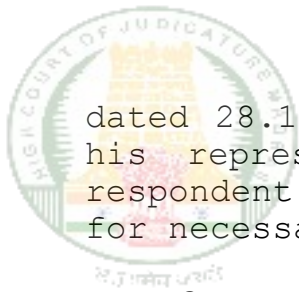
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to assign land in favour of the petitioner in Survey No.Q6/74, Ward 11, Village No.12, Vadeeshwaram, Agasteeswaram Taluk, Kanniyakumari District by considering the representation dated 24.12.2010 and 28.12.2016.

For Petitioner	: Ms.M.Rajeswari for S.M.S.Johnny Basha
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 assign the land in favour of the petitioner in Survey No.Q6/74, Ward 11, Village No.12, Vadeeshwaram, Agasteeswaram Taluk, Kanniyakumari District based on the petitioner's representations dated 24.12.2010 and 28.12.2016 within a time frame to be fixed by this Court.

2.According to the petitioner, he is an ex-serviceman and as per G.O.Ms.No.1750, Revenue Department dated 13.04.1963, he is entitled for assignment of land in his favour. According to him, in accordance with G.O.Ms.No.1750, he has applied for assignment of land pertaining to the aforementioned property by submitting a representation dated 24.12.2010 followed by another representation



dated 28.12.2016. It is also the contention of the petitioner that his representations have already been forwarded by the second respondent to the Tahsildar and the Village Administrative Officer for necessary action.

3. According to the petitioner, the Revenue Inspector as well as the Village Administrative Officer have already submitted a report in favour of the petitioner in the year 2011 itself. Though recommendations have been made, it is the case of the petitioner that till date, no final orders have been passed. In such circumstances, the petitioner has filed this writ petition.

4. Heard Ms.M.Rajeswari for Mr.S.M.S.Johnny Basha, learned Counsel appearing for the petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents.

5. Admittedly, the petitioner's representations have been taken on record and recommendations have also been made by the Revenue Inspector as well as the Village Administrative Officer in the year 2011. The proceedings have also been initiated by the second respondent on the petitioner's representation. The same has also been filed along with this writ petition.

6. No prejudice would be caused to the respondents if the petitioner's representations dated 24.12.2010 and 28.12.2016 referred to supra is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representations dated 24.12.2010 and 28.12.2016, requesting the respondents to assign the land in favour of the petitioner in respect of Survey No.Q6/74, Ward 11, Village No.12, Vadeeshwaram, Agasteeswaram Taluk, Kanniyakumari District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of three [3] months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Crl.Side)

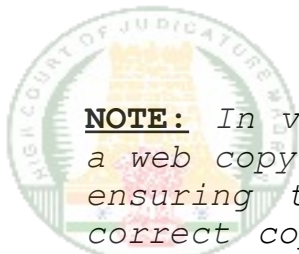
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/ /2022

Sub Assistant Registrar (CS)

MR

<https://hcservices.ecourts.gov.in/hcservices/>



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.

WEB COPY

To

- 1.The District Collector,
Kanniyakumari.
- 2.The Revenue Divisional Officer,
Kanniyakumari District, Nagercoil.
- 3.The District Revenue Officer,
Nagercoil, Kanyakumari.
- 4.The Tahsildar,
Agasteeswaram Circle,
Nagercoil,
Kanniyakumari District.

+1 CC to M/s.S.M.S.JOHNNY BASHA, Advocate (SR-13064[F]
dated 18/03/2022)

+1 CC to M/s.SPL GP (SR-13002[F] dated 18/03/2022)

ORDER MADE IN
W.P. [MD]No.4702 of 2022
17.03.2022

NSN (CO)
GC (30.03.2022) 3P 7C