



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.8632 of 2022

B.Saraswathy

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Tahsildar Office,
Aravakurichi Taluk,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation / application, dated 24.03.2022 and consequential reminder, dated 16.04.2022 and to record the petitioner as cultivating tenant under Tamil Nadu Agricultural Lands Record of Tenancy act in respect of land in Survey Numbers 713/2 and 714/2 of an extent of about 8.61 Acres in Periyamanjuveli Village, Aravakkurichi Taluk, Karur District, within the time stipulated by this court.

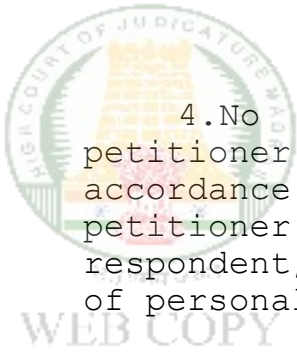
For Petitioner : Mr.S.Madhavan
For Respondent : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's representation, dated 24.03.2022 and consequent reminder, dated 16.04.2022, to record the petitioner as cultivating tenant under Tamil Nadu Agricultural Lands Record of Tenancy act in respect of land in Survey Numbers 713/2 and 714/2 of an extent of about 8.61 Acres in Periyamanjuveli Village, Aravakkurichi Taluk, Karur District, within the time stipulated by this court.

2.Heard Mr.S.Madhavan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

3.At the outset, the learned Additional Government Pleader, appearing for the respondents, would submit that it is not possible to recognize the petitioner as a cultivating tenant. According to him, the subject land belongs to Thiruvavaduthurai Athinam. However, the learned counsel appearing for the petitioner disputes the same.



4.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the second respondent, deems fit to enquire, including granting them the right of personal hearing.

5.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation / application, dated 24.03.2022 and consequential reminder, dated 16.04.2022 and to record the petitioner as a cultivating tenant under Tamil Nadu Agricultural Lands Record of Tenancy act in respect of land in Survey Numbers 713/2 and 714/2 of an extent of about 8.61 Acres in Periyamanjuveli Village, Aravakkurichi Taluk, Karur District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Tahsildar Office,
Aravakurichi Taluk,
Karur District.

+1 CC to M/s.SPL.GP (SR-23325[F] dated 04/05/2022)

W.P. (MD)No.8632 of 2022
29.04.2022

RS (25.05.2022) 2P-4C