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W.P.No.3415 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.3415 of 2023

M.Sivakumar

.. Petitioner

VS

1. The Revenue Divisional Officer
O/o The Revenue Divisional Office
Cuddalore.

2. The Tasildar
Kurunjipadi Taluk
Cuddalore District.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to produce the certified copy of the proceedings No.TK8A41/90 dated 06.10.1980 considering the petitioner application dated 05.12.2022 within stipulated time to be fixed by this Hon'ble Court.

For Petitioner : Mr.K.J.Shiva Arudhra

For Respondents : Mrs.N.Senthil Selvi
Government Advocate



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ORDER

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The prayer sought for herein is for a writ of Mandamus, directing the second respondent to produce the certified copy of the proceedings No.TK8A41/90 dated 06.10.1980 by considering the petitioner's application dated 05.12.2022 within a period, that may be stipulated by this Court.

2. It is the claim of the petitioner that, as per the G.O.No.19 Revenue Department 04.01.1979 gazetted on 17.02.1979, certain lands on Old Survey No.558 etc at Renganathapuram Village, Kurinchipadi Taluk, Cuddalore District had been taken by the Government as excess land under the provisions of the Land Ceiling Act and out of which, a piece of the land has been allotted to the petitioner under the landless category and in this regard, since the said allotment is in the name of the petitioner's father, who had been in possession and enjoyment of the property, subsequently, the petitioner inherited the property and had been in possession and enjoyment of the property. When that being so, since some problem seems to have come to the petitioner from the neighbors', stating that the said land does not belong to the petitioner and therefore, in order to establish this fact by proving the same, the petitioner wanted a copy of the allotment order, which is not readily available with the petitioner due to paucity of time.



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3. Therefore, to get the certified copy of the allotment order, the petitioner has given a representation on 05.12.2022 to the Revenue Divisional Officer i.e., the first respondent herein and to consider the said representation and to pass orders on merits within a time frame, the petitioner seeks indulgence of this Court.

4. Heard Mr.K.J.Shiva Arudhra, learned counsel appearing for the petitioner and Mrs.N.Senthil Selvi, learned Government Advocate appearing for the respondents.

5. Mrs.N.Senthil Selvi, learned Government Advocate would submit that, the said representation submitted by the petitioner would be considered and decided by the first respondent on merits within a time frame that may be stipulated by this Court.

6. Considering the said submissions made by the learned Government Advocate appearing for the respondents and taking note of the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following directions:



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That there shall be a direction to the first respondent to consider the representation of the petitioner dated 05.12.2022 and pass orders thereon, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With these directions, the writ petition is disposed of. There will be no order as to costs.

Index: Yes/No

07.02.2023

Neutral Citation :Yes/No
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To

1. The Revenue Divisional Officer
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2. The Tasildar
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R. SURESH KUMAR, J.

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