



WEB COPY



WP No.33696 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2023

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THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.33696 of 2018

S.Shankar

... Petitioner

Versus

1. The District Collector,
Villupuram, Villupuram District.

2. The Sub Collector,
Tindivanam,
Villupuram District.

3. B.Jayashree

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents herein to consider the representation of the petitioner dated 28.08.2018 and 26.09.2019 and hold enquiry as per Section 3 (4) (b) of the Tamil Nadu Cultivating Tenants Protection Act 1955 within a specified time fixed by this Honorable Court.

For Petitioners : Mr.S.Senthilnathan

For Respondents : Mr. M.S.Premkumar, GA, RR1 and 2
Mrs.M.Sujatha
For M/s.Ahmed Associates R3

ORDER



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The writ petitions have been filed seeking a direction to the 1st and 2nd respondents herein to consider the representations of the petitioner dated 28.08.2018 and 26.09.2019 and hold enquiry as per Section 3 (4) (b) of the Tamil Nadu Cultivating Tenants Protection Act 1955 within a specified time fixed by this Honorable Court.

2. It is the grievance of the petitioner that he is a cultivating tenant under the 3rd respondent. The lease amount is Rs.27,000/- per year. The petitioner has dug a borewell, installed 5 HP motor and formed road by investing a sum of Rs.5,00,000/- in the agricultural land. Such view of the matter, the third respondent is attempting to vacate the petitioner and damaged the crops and motor room. Hence, the petitioner sent legal notice to the third respondent on 21.08.2018 and in this regard, he made a representations dated 28.08.2018 and 26.09.2018 to the respondents for conducting enquiry as per Section 3(4)(b) of the Tamil Nadu Cultivating Tenants Protection Act, 1955 and the same is not considered so far. Without having no other option, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider the petitioners representations and pass



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appropriate orders within the stipulated time as fixed by this Court.

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4. Heard both sides and perused the materials.

5. In such view of the matter, this Court directs the second respondents to consider the petitioners representation and pass appropriate orders after providing opportunity to the petitioner as well as the third respondent on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

08.03.2023

Index : Yes/No

Internet : Yes/No

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To

1. The District Collector,
Villupuram, Villupuram District.

2. The Sub Collector,
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Villupuram District.



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M. DHANDAPANI, J

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