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W.P.(MD)No.2985 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.2985 of 2020

S.Rengasamy

... Petitioner

vs.

1.The District Collector,
Trichy District.

2.The Revenue Divisional Officer,
Srirangam at Kallikudy,
Trichy District.

3.The Tahsildar,
Srirangam, Trichy District.

4.M/s.Holy Family Hansorium,
Fathima Nagar,
Tiruchirapalli-620 012.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to conduct the enquiry on the petitioner's complaint, dated 28.03.2005, against the 4th respondent and to dispose the petition in accordance with law.

For Petitioner	: Mr.P.Mahendran
For R1 to 3	: Mr.R.Suresh Kumar Additional Government Pleader
For R4	: Mr.V.Paneerselvam for Mr.S.Vinod Santhya Lazar

ORDER

This writ petition is filed for writ of Mandamus, to direct the 2nd respondent to conduct the enquiry on the petitioner's complaint, dated 28.03.2005, against the 4th respondent and to dispose the petition in accordance with law.



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2.The petitioner's father was assigned Government land in RC A6.1183/70, dated 27.01.1971 Collectors K.Dis.54587/1970, dated 23.11.1970. The allegation against the respondents is that the respondents in order to grab the land has cancelled the assignment and accommodated the 4th respondent and forcibly took possession of the said land. This litigation is fought from the year 1975 onwards.

3. When the case was heard on 22.06.2023, this Court directed the respondents to grant an alternative site.

4. The 2nd respondent has filed counter affidavit and the relevant portion of the counter affidavit is extracted hereunder:



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“Accordingly it is submitted that the Assignment Order already issued to the Thiru.Shanmugavel Asari was cancelled and the District Collector, Trichirappalli has proposed to assign an extent of 3.00Acres comprised in Survey No.85/10, of Sethurapatty Village to the Petitioner's father. Hence the contra allegations attributed in this regard are all stoutly and emphatically denied.”

5. On perusing the counter affidavit, it is seen that the respondents have accommodated the petitioner in the alternative site in Survey No. 85/10 of Sethurapatty Village, but the respondents have not issued patta for the alternative site until now. Therefore, the respondents are directed issue patta to the petitioner to the land in Survey No.85/10 admeasuring 3 acres. The said exercise shall be completed within a period of eight



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weeks from the date of receipt of a copy of this order.

6. With the above said observation, the writ petition is disposed of.

No costs.

Index : Yes / No

10.08.2023

Internet : Yes

NCC : Yes / No

Tmg



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To

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- 3.The Tahsildar,
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S.SRIMATHY, J

Tmg

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