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W.P.No.24503 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTAR

W.P No.24503 of 2024

N. Ramakrishnan

...Petitioner

Vs.

1.The Government of Pondicherry,
Rep. by its Secretary,
Revenue Department,
Chief Secretariate,
Puducherry.

2.The District Collector – cum-
Special Secretary (Revenue)
Government of Pondicherry,
Chief Secretariate,
Puducherry.

3.The Commissioner
Mannadipet Commune Panchayat,
Thirubuvanai,
Pondicherry – 605 501.

4.The Sub Registrar,
Thirukkanur,
Puducherry – 605 501.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for



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issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 18.07.2024 within a stipulated time fixed by this Court.

For Petitioner : Mr.M.Palanivel

For R1 to R4 : Mr.A.Tamil Vannan
Additional Government Pleader
(Puducherry)

ORDER

The petitioner herein seeks a direction to 1st respondent to consider his representation dated 18.07.2024 and pass final orders within a time fixed by this Court.

2. According to the petitioner, the land situated in R.S.Nos.142/2 part, 142/3 and 142/4 at Thiruvandarkoil Revenue Village, Thirubhuvanai, Puducherry are plotted out and sold to various parties without any proper approval from the competent authority. The Government 'poramboke' land in R.S.No.142/6 and threshing floor in R.S.No.54/4 are shown as approach road for the unapproved layout. Therefore, the petitioner submitted a representation to respondents 1 and 2 seeking cancellation of the sale deeds in respect of the unapproved plots in the above mentioned land.

3. Mr.A.Tamilvannan, learned Additional Government Pleader



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(Puducherry), who is taking notice for the respondents 1 to 4, submitted that the representation of the petitioner would be considered on its' own merits within a time fixed by this Court. He also submitted that the petitioner has not produced acknowledgment for submitting representation before the 2nd respondent. Therefore, he may be directed to submit a fresh representation.

4. Though the prayer of the petitioner to cancel the sale deeds is not maintainable before the respondents, in view of the allegations made by the petitioner that 'poramboke' land and threshing floor have been shown as access road to the unapproved layout, without going into the merits of the claim made by the petitioner, the petitioner is directed to submit a fresh representation to 2nd respondent within a period of two weeks from the date of receipt of copy of this order. The 2nd respondent is directed to consider the fresh representation to be submitted by the petitioner and pass final orders on its' own merits within a period of twelve weeks from the date of receipt of representation after issuing necessary notice to the interested parties.



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

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To

1. The Secretary,
The Government of Pondicherry,
Revenue Department,
Chief Secretariate,
Puducherry.
2. The District Collector -cum-
Special Secretary (Revenue)
Government of Pondicherry,
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3. The Commissioner,
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S.SOUNTHAR, J.
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