



W.P.No.7305 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.7305 of 2024

T.John Bakthan
S/o.Y.Thavamani

... Petitioner

versus

The Collector
Chengalpattu District.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's petition dated 29.06.2021 seeking to assign 2 acres of land in S.No.709/2 Madambakkam Village, Tambaram Taluk, Kancheepuram District by regularizing the petitioner's continue and uninterrupted possession over the period of 40 years.

For Petitioner	:	Mr.G.Appavu
For Respondent	:	Mr.T.Arun Kumar Additional Government Pleader



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ORDER

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Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the respondent. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for a mandamus directing the respondent to consider the petitioner's petition dated 29.06.2021, wherein and whereby, he sought to assign 2 acres of land in S.No.709/2, Madambakkam Village, Tambaram Taluk, Kancheepuram District.

3. The learned counsel for the petitioner submitted that the petitioner had rendered service in Indian Army from 1965 till 04.09.1986. He further submitted that the petitioner is in uninterrupted possession more than a period of forty years and he has made a representation dated 29.06.2021 seeking to assign the aforementioned 2 acres of land in his favour.

4. The main grievance of the petitioner is that even though he has



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made the representation on 29.06.2021, the same has not been considered by the respondent so far.

5. The learned Additional Government Pleader appearing for the respondent submitted that due to ban by the Government to assign such lands, the claim of the petitioner cannot be considered.

6. Heard both sides and perused the materials available on record.

7. Since this writ petition is only for a mandamus, to direct the respondent to consider the petitioner's petition dated 29.06.2021, this Court, without expressing any view or opinion with regard to the merits of the case, directs the respondent to give notice to the petitioner/rival claimants/interested parties if any, and conduct enquiry into the matter and pass appropriate orders on merits and in accordance with law, if the respondent has no other legal impediment in doing so. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

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8. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

To

The Collector
Chengalpattu District.

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P.VELMURUGAN, J.
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