

Jothilingam Vs. The District Collector, Thoothukudi and Another

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Court : Chennai Madurai

Decided On : Jun-20-2016

Judge : M. Venugopal

Appeal No. : Writ Petition (MD).No. 10710 of 2016

Appellant : Jothilingam

Respondent : The District Collector, Thoothukudi and Another

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd Respondent to measure and fix the boundaries of the petitioner's property situated in Sy.No.319/4A/A1 correlated to Re.Sy.No.319/4A1A1A, Kottudankadu Village, Thoothukudi Taluk, to the extent of 21 cents by considering the petitioner's representation dated 28.04.2016.)

1. Heard both sides.
2. By consent, the main writ petition itself is taken up for final disposal.
3. The limited relief sought for by the petitioner in the writ petition is for passing of an order by this Court in directing the second respondent to measure and fix the boundaries in respect of the petitioner's property in Sy.No.319/4A/A1 correlated to Re.Sy.No.319/4A1A1A, Kottudankadu Village, Thoothukudi Taluk, to the extent

of 21 cents by considering his representation dated 28.04.2016.

4. Considering the limited plea made by the petitioner, i.e for passing an order by this Court, to consider his representation, dated 28.04.2016, at this stage, this Court, without going into the merits of the matter and also not traversing upon the contents of the representation so made, in the interest of Equity, Justice and Fair Play and even as a matter of Prudence, directs the second respondent to immediately take up the petitioner's representation, dated 28.04.2016, within a week from the date of receipt of a copy of this order and thereafter to pass a detailed, speaking order on merits, by providing adequate opportunity to the petitioner and others concerned by following the principles of Natural Justice, within a period of three weeks. The said order is to be passed by the second respondent in a dispassionate manner and uninfluenced and untrammelled with any of the observations made by this Court in the writ petition. The petitioner is directed to render his helping hand and assistance to the second respondent in disposing of his representation, dated 28.04.2016 within the time determined by this Court.

5. With the aforesaid observations and directions, the writ petition stands disposed of. No costs.

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