

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

...

WPA/495/2023

Shri Kanagaratanam @ T.Kanakaratnam

Versus

The Thesildar

Mr. Anjili Nag ... for the petitioner

Mr. V.D.Sivabalan
Mr. Arun S. Kumar ... for the respondents

March 16, 2023
[AKB]
Item No.6

Mrs. Anjili Nag, learned counsel appearing for the petitioner submitted that, the petitioner is a recorded tenant in respect of the land mentioned in **para 3** to the writ petition. Drawing attention of this Court at **pages 11 and 12**, it was submitted that, the petitioner has been paying necessary land revenue regularly as the license holder of the property.

The grievance of the petitioner is that the state authority had not issued the record entry and the sketch map in respect of the land which is being occupied by the petitioner. The petitioner submitted that a written representation in February 2023, which was received by the respondents on February 24, 2023 **Annexure P-3 at page 13** to the writ petition, was submitted by the petitioner. The said representation had not yet received the attention of the state authority.

Mr. V.D.Sivabalan, learned counsel appeared for the respondents.

Considering the submission made on behalf of the parties and considering the materials on record, to sub serve justice, the respondent is directed to consider the said representation of the petitioner being **Annexure P-3 at page 13** to the writ petition by passing a reasoned order strictly in accordance with law.

The respondent shall carry out the entire exercise and complete the same as directed above positively within a period of four weeks from the date of communication of this order. The respondent then shall communicate its reasoned order to the petitioner within a further period of one week from the date of the said reasoned order to be passed.

In the event, the reasoned order goes in favour of the petitioner, the petitioner shall be made over with the necessary record entry and sketch map in respect of the plot/land in his occupation as mentioned in **para 3** to the writ petition by the respondent positively within a further period of two weeks from the date of the said reasoned order to be passed.

It is made clear that this order will not create any equity and right in favour of the petitioner if the petitioner is not eligible to receive his claim strictly in accordance with law.

Since affidavits are not called for the allegation made in this writ petition are deemed not to have been admitted by the respondents.

It is further made clear that this court had not gone into the merit of the claim of the petitioner and the petitioner will be at liberty to urge whatever point he wishes to urge by relying whatever documents he wishes to rely upon.

On the above terms this writ petition being **WPA/495/2023** stands disposed of without any order as to costs.

(Aniruddha Roy, J.)