

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.14612 of 2016

1 M.Periya Durai ... Petitioner

Vs.

1 The Principal Secretary Cum
Commissioner of Revenue Administration
Revenue Department
Chepauk, Chennai-5.

2 The District Collector
Collectorate, Salem.

3 The District Revenue Officer
Salem.

4 The Revenue Divisional Officer
Attur, Salem District.

5 The Tahsildhar
Gangavalli Taluk & Post
Salem District

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 3rd and 4th respondents herein to consider the petitioner's representation dated 08.02.2016 and reminder representation 16.04.2016 to include the petitioner's name in computer chitta for the year 2016 in bearing S.No.314/1 to the extent of 2.68 acres of property belongs to the petitioner.

For Petitioner : Mr.A.Rajakumar

For Respondents: Mr.S.Navaneetham
Additional Government Pleader

O R D E R

The petitioner has come up with this writ petition for issuing a Writ of Mandamus, directing the 3rd and 4th respondents herein to consider his representation dated 08.02.2016 and reminder 16.04.2016 to include his name in Computer Chitta for the year 2016 in the property bearing S.No.314/1 to an extent of 2.68 acres.

2. The petitioner is the absolute owner of the property to an extent of 2.68 acres in S.No.314/1 situated at Vellaiyur post, Gangavalli Taluk, Salem District. He purchased the property from one Gunasekaran through registered Sale Deed dated 6.5.1998. He is in possession and enjoyment of the property till date. He obtained patta bearing No.1010 in his name. All the revenue records, including patta and adangal, etc., stand in the name of the petitioner in respect of the said property. While so, his name was also included in Computer Chitta till 13.3.2010. Subsequently, the petitioner applied for Computer Chitta. He found that his name was not included in Computer Chitta for the year 2016. He made an oral representation to the respondents 2 to 5. Since there is no response, he made a written representation dated 8.2.2016 to respondents 2 to 5. He has not received any reply from them. Therefore, he again made a reminder on 16.4.2016 through registered post to respondents 2 to 5. As no action has been taken, he is constrained to approach this Court.

3. Heard the learned counsel for the petitioner and Mr.S.Navaneethan, learned Additional Government Pleader appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the third and fourth respondents to consider the written representation of the petitioner dated 8.2.2016 and reminder dated 16.4.2016 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the respondents 3 and 4 to

consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

ajr

To

- 1 The Principal Secretary Cum
Commissioner of Revenue Administration,
Revenue Department, Chepauk, Chennai-5.
- 2 The District Collector, Collectorate, Salem.
- 3 The District Revenue Officer, Salem.
- 4 The Revenue Divisional Officer, Attur, Salem District.
- 5 The Tahsildhar
Gangavalli Taluk & Post,
Salem District.

1 cc to M/s.A.Rajakumar, Advocate, sr.24486

1 cc to Government Pleader, sr.24978

W.P.No.14612 of 2016

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kra 24.05.2016

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