

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 23.03.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.7021 of 2017

1. Devaki
2. P.Dhanaraj
3. P.Murugan
4. P.Suresh Kumar
5. Veeravel Jothi
6. Ponnachi

... Petitioners

Versus

Tahsidar,  
Cuddalore  
Cuddalore Taluk  
Cuddalore District.

... Respondent

Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondent to pass orders on the representation dated 28.12.2016 given by the petitioners.

For Petitioner : Mr.D.Baskar  
For Respondents : Mr.S.N.Parthasarathy  
Govt. Advocate

ORDER

This Writ Petition has been filed by the petitioners seeking for a direction to the respondent to pass orders on their representation dated 28.12.2016 given by them.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate, who accepts notice for the respondent.

3. The petitioners are legal heirs of Late. Pakkiri. According to the petitioners, their father was the owner of the vacant land measuring 4142 square feet comprised in New Survey No.103/1 in Old Survey No.196/1 in Thiyyagavalli Village, Cuddalore District having purchased the same by a registered sale deed dated 19.07.2001. After purchase, the above said Pakkiri has constructed a house thereon and it was also assessed

for payment of property tax. It is the further case of the petitioners that one Mr. Chengal Rao, who is the junior paternal uncle of the petitioners 2 to 6 herein appears to have obtained the electricity service connection and the property tax in respect of the above said property in his name and it was not known to the petitioners. While so, the father of the petitioners 2 to 6 namely Pakkiri died on 10.10.2006 and on his death, the petitioners have inherited the above said land purchased by him. It is also the case of the petitioners that on the basis of the fact that the electricity service stands in the name of Mr. Chengal Rao, who has no title to the land in question, he attempted to disturb the possession of the petitioners. Therefore, in order to assert a valid right and title over the land, the petitioners have submitted a representation dated 28.12.2016 to the respondent seeking to issue patta in their joint name. As the representation dated 28.12.2016 of the petitioners has not been considered, the present writ petition has been filed by them.

4. Having regard to the above facts and circumstances and considering the limited scope of relief sought for by the petitioners, without going into the merits of the case, this Court directs the respondent to consider and pass orders on the representation of the petitioners dated 28.12.2016, after giving an opportunity of hearing to the petitioners and Chengalrao, in whose name the tax receipts and electricity service connection stands, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arr  
To  
The Tahsildar,  
Cuddalore, Cuddalore Taluk,  
Cuddalore District.

+1cc to Mr.R. Guru aj, Advocate, S.R.No.18216  
+1cc to the Government Pleader, S.R.No.18665

lrs (CO)  
md(20/04/2017)

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