

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.Nos.6045 & 6046 of 2017

D.Ramamurthy .. Petitioner in
W.P.6045/2017

M.Rajendran .. Petitioner in
W.P.6046/2017

Versus

1.The District Collector,
Villupuram District,
Villupuram.

2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3.The Tahsildar,
Sankarapuram Taluk,
Sankarapuram,
Villupuram District.

.. Respondents in
both WPs

Writ petitions filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first respondent to re-convey the property in Survey Nos.103 to an extent of 3.51 Acres situated at Arumbarampattu village, Sankarapuram Taluk, Villupuram District in favour of the petitioner and consequently direct the third respondent to issue a patta in favour of the petitioner after conveyance of the said property within a stipulated time to be fixed by this Hon'ble Court.

For Petitioner(s) : Mr.P.Thiagarajan

For Respondents : Mr.R.S.Selvam
Government Advocate

COMMON ORDER

By consent, the writ petitions are taken up for final disposal. Mr.R.S.Selvam, learned Government Advocate accepts notice on behalf of the respondents.

2. The petitioners claim that their fore-fathers were in possession and enjoyment of the landed properties admeasuring to an extent of 8.41 acres, 11.48 acres, 6.82 acres and 14.46 acres in S.Nos.98, 99, 100 and 103 respectively situated at Arumbampattu Village, Sankarapuram Taluk, Villupuram District and since there was default in payment of taxes for Faslis 1343 and 1344, the Tahsildar, Kallakurichi had initiated legal steps for recovery of the tax due under Section 27 of Act II of 1964.

3. It is the claim of the petitioners that subsequently the arrears have been paid and however, the lands have not been re-conveyed and in this regard, a representation dated 17.10.2016 was already submitted to the Secretary to the Revenue Department, Secretariat, Chennai-600 009 and copy of the same was also sent to the respondents. In spite of the receipt and acknowledgment, no orders have been passed and therefore, the petitioners have filed these writ petitions.

4. The learned counsel appearing for the petitioners would submit that the representation submitted by one Poongodi and 5 others dated 26.10.2016 was forwarded by the Revenue Divisional Officer, Kallakurichi to the Tahsildar, Kallakurichi for taking appropriate action and in spite of the receipt of the same, no steps have been taken by the third respondent and therefore, the petitioners are constrained to approach this Court, by filing these writ petitions.

5. Heard Mr.P.Thiagarajan, learned counsel appearing for the petitioner and Mr.R.S.Selvam, learned Government Pleader appearing for the respondents.

6. Though the petitioners pray for a large relief, in the light of the stand taken and without going into the merits of the case, directs the Tahsildar, Kallakurichi to act on the memo/communication of the second respondent, dated 27.10.2016 in Oo.Mu.A2/6362/2016 and forward a proposal/recommendation to the second respondent within a period six weeks from the date of receipt of a copy of this order and the second respondent upon receipt of the same, is directed to consider the proposal/recommendation in accordance with law and after putting the concerned person/s on notice, shall pass appropriate orders on merits and in accordance with law within a further period of eight weeks and communicate the decision taken, to the petitioners as well as to the person/s concerned.

7. The writ petitions, accordingly, stand disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
- 3.The Tahsildar,
Sankarapuram Taluk,
Sankarapuram,
Villupuram District.

Copy to:

The Tahsildar,
Kallakurichi.

+2 cc to M/s.P.Thiyagarajan,advocate,sr.15680, 15678

+1 cc to Govt.Pleader,sr.15919.

nr(co)
krd 22/3

WP.Nos.6045 & 6046 of 2017

सत्यमेव जयते

WEB COPY