

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.23555 of 2016

1. Savithri
 2. Sivajothi
 3. Ravi
 4. Dhandapani
 5. Mohan
 6. Kalaiselvi
 7. Malathi
 8. Jayanthi
- ... Petitioners

vs.

1. The District Collector,
Cuddalore District,
Cuddalore.
 2. The Revenue Divisional Officer,
Vridhachalam,
Cuddalore District.
 3. The Tahsildar,
Vridhachalam Taluk,
Vridhachalam,
Cuddalore District.
 4. The Secretary,
Neyveli Lignite Corporation Limited,
Neyveli, Cuddalore District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to pass orders on the representation given by the petitioners on 04.04.2016.

For Petitioners : Mr.D.Baksar

For Respondents 1 to 3 : Mr.S.Rajeswaran,
Special Government Pleader

For 4th Respondent : Mr.F.B.Bejamin George

O R D E R

Petitioners have come up with this Writ Petition seeking a direction to the respondents to pass orders on their representation dated 04.04.2016.

2. According to the 3rd petitioner, 1st petitioner is his mother; petitioners 2, 4 and 5 are his brothers and petitioners 6 to 8 are his sisters. According to him, the property in S.No.171/1B measuring an extent of 0.80 acres in Gengaikondan, Vridhachalam Taluk, Cuddalore District, belonged to his grandmother, Ambujammal. The property was entirely acquired for Neyveli Lignite Corporation Ltd., Neyveli, the 4th respondent herein. An award was passed under Award No.5/56, dated 07.04.1956. Instead of paying monetary compensation, she was given an equal extent of property in several survey numbers in Pudukooraipettai Village, Vridhachalam Taluk, Cuddalore District. Though an order of assignment was given, it was lost. After the death of his grandfather and grandmother, the 3rd petitioner's father went to verify the revenue records and found that adangal entries are found in Ambujammal's name.

3. Since there is inconsistency in maintaining revenue records, the 3rd petitioner's father sent a representation dated 08.11.2014 to respondents 1 to 3 to furnish a copy of the Deed of Assignment and transfer patta to his name. Since there was no response to the said representation, the 3rd petitioner's father filed a Writ Petition in W.P.No.634 of 2015 seeking a writ of mandamus and this Court, by an order dated 12.01.2015, dismissed the said Writ Petition that the representation was vague, with liberty to him to give a fresh representation. Thereafter, the 3rd petitioner's father sent a representation dated 07.03.2015 to the official respondents. But, no action was taken on the same. In the meanwhile, the 3rd petitioner's father died on 29.09.2015. Pursuant thereto, the petitioners herein sent a representation to the respondents on 04.04.2016 seeking to furnish a copy of the Assignment Deed and transfer patta. Since no reply is forthcoming on the said representation, the petitioners are before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the respondents 1 to 3 to consider the petitioners' representation dated 04.04.2016 on merits and in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.
No costs.

s/d-
Assistant Registrar (CS-VI)

//True Copy//

Sub-Assistant Registrar

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To :

1. The District Collector,
Cuddalore District,
Cuddalore.

2. The Revenue Divisional Officer,
Vridhachalam,
Cuddalore District.

3. The Tahsildar,
Vridhachalam Taluk,
Vridhachalam,
Cuddalore District.

+1 CC to R. Gururaj, Advocate sr 6558

+1 Cc to M/s. F.B. Benjamin George, Advocate sr 6907

+1 CC to The Govt. Pleader sr 6976

Order in
W.P.No.23555 of 2016

RJ (CO)
sp/2/3

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