

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 15.06.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. [MD] .No.720 of 2017
and
CMP (MD) .No.5484 of 2017

K.Karuppiah

:Appellant/Petitioner

Vs.

1.The District Collector,
Office of the District Collectorate,
Ramanathapuram District
Ramanathapuram

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Paramakudi,
Ramanathapuram District,

3.The Thasildar,
Paramakudi,
Ramanathapuram.

: Respondents/Respondents

PRAYER:The Writ Appeal is filed under Clause 15 of Letters Patents Act, against the order dated 25.02.2015 passed in W.P. (MD) .No.2438 of 2015.

Prayer in WP(MD) . 2438/ 2015 :

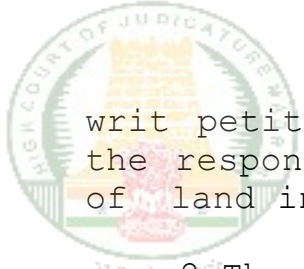
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the respondents to permit the petitioner to pay the property tax for the land in survey NO.8,9 and 10 situated at Kamudhakudi Varuvai Group, Elanthakulam (vill), Paramakudi, Ramanathapuram District.

For Appellant :Mr.T.Lajapathy Roy.
For Respondent :Mr.V.R.Shanmuganathan
Special Government Pleader.

JUDGMENT

[Judgment of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard the learned counsels for the parties. This appeal is directed against the order dated 25.02.2015 passed in W.P. (MD) .No.2438 of 2015. The appellant /writ petitioner had filed the



writ petition praying for issuance of writ of mandamus to direct the respondents to permit him to pay the property tax in respect of land in question.

2. The said writ petition was dismissed on the ground that the relief sought for was thoroughly misconceived. After hearing the learned counsel appearing for the writ petitioner and considering the materials placed on record, we find that except A register there is no document produced by the writ petitioner to prove his title or that of his father. The few receipts alleged to have been issued by the revenue authorities can hardly be a reason for this Court to compel the respondents to receive the property tax. Therefore, unless and until the appellant has document to show that he is a rightful owner of the property, no writ of mandamus as sought for can be issued to the respondents.

3. Therefore, there is no reason to interfere with the order of the Writ Court and accordingly, the Writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is Closed.

Sd/-

Assistant Registrar (CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District.

2. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District,

3. The Thasildar,
Paramakudi,
Ramanathapuram District.

+1cc to M/S. T.LAJAPATHI ROY, Advocate, SR.No.600854.

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dsk/rmk

SDS/SKN:RSK/SAR 3/06.07.2017/2P/5C