BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.09.2017
CORAM
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P.(MD)No.15091 of 2017

M.Revathy ... Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Thasildar,
Thoothukudi Taluk,
Thoothukudi District.

3.The Special Officer,
Tamilnadu Boodhan Board,
Chennai.

4.The Boomidhana Inspector,
District Collector's Office Campus,
Tirunelveli - 9. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to receive the land tax/kist from the petitioner, relating with the lands comprised in S.No.1701/3A 1702/1 1705/2A and 1705/3A1 in Meelavittan Part II village in Thoothukudi Taluk, on the basis of the Land Distribution Deed dated 21.02.2012 in the name of Tamilnadu Boodhan Board by disposing the petitioner's representation dated 20.06.2017.

For Petitioner :Mr.B.SuriyaNarayanan
For Respondents :Mr.G.Muthu Kannan
Government Advocate

ORDER

The petitioner seeks issuance of Writ of Mandamus, directing the second respondent to receive the land tax/kist from the petitioner, relating to the property in S.Nos.1701/3A, 1702/1, 1705/2A and 1705/3A1 in Meelavittan Part II village in Thoothukudi Taluk, on the basis of the Land Distribution Deed dated 21.02.2012 in the name of Tamilnadu Boodhan Board by disposing the petitioner's representation dated 20.06.2017.

2. Heard Mr.B.SuriyaNarayanan, learned counsel for the petitioner and Mr.G.Muthu Kannan, learned Government Advocate for the respondents.

3. The case of the petitioner is that the land referred supra belongs to the Tamilnadu Boodhan Board and same was distributed to the father of the petitioner on 15.08.1988. it is further stated that the assignee had been in a possession and enjoyment of the property till his death on 11.10.2011 and thereafter, the petitioner has been enjoying the property.

4. The petitioner would further state one of the conditions in the assignment is that the petitioner has to pay tax in the name of the Tamilnadu Boodhan Board. When he approached the authorities for payment of tax, they refused to receive the same. Hence, he sent a representation dated 20.06.2017. Since no reply, the present writ petition has been filed.

5. The learned Government Advocate would submit that there is no proof for submitting the representation, a fresh representation has to be given to the second respondent to be considered.

6. The learned Government Advocate would further submit that the second respondent is the competent authority to receive the tax, but only after getting concurrence from the respondents 3 and 4.

7. In view of the above submission, the petitioner is directed to give a fresh representation to the respondents 2 to 4 by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the respondents 2 to 4 shall consider and take appropriate action within a period of twelve weeks therefrom.

8. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Thoothukudi District.

2.The Thasildar,
Thoothukudi Taluk,
Thoothukudi District.

3.The Special Officer,
Tamilnadu Boodhan Board,
Chennai.

4.The Boomidhana Inspector,
District Collector's Office Campus,
Tirunelveli - 9.

+1cc to M/S.R.SURYA NARAYANAN, Advocate SR.No.79246
+1cc to Special Government Pleader, SR.No. 79084

sm/smi
MAS/SV-MMS/SAR2:26.09.2017:3P-7C

W.P.(MD)No.15091 of 2017
14.09.2017