



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD)Nos.17836 to 17860 of 2017

and

W.M.P (MD)Nos.14353 to 14377 of 2017

THE EXECUTIVE OFFICER,  
S.KANNANUR TOWN PANCHAYAT,  
SAMAYAPURAM POST - 621 112,  
MANACHANALLUR TALUK,  
TIRUCHIRAPALLI DISTRICT.

... PETITIONER IN ALL WPS  
VS.

1. THE DISTRICT COLLECTOR,  
TIRUCHIRAPPALLI DISTRICT,  
COLLECTORATE,  
TIRUCHIRAPPALLI.

2. THE TAHSILDAR,  
MANACHANALLUR TALUK,  
MANACHANALLUR POST & TALUK,  
TIRUCHIRAPPALLI.

... RESPONDENTS 1 & 2 IN ALL WPS

AKILA

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD)NO.17836 OF 2017

MR.K.RAMESH, S/O.KRISHNASAMY RAJA,  
NO.10/2 MAKALIKUDI RAJA STREET,  
S.KANNANUR SAMAYAPURAM POST,  
MANACHANALLUR TK, TIRUCHIRAPALLI DT-621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD)NO.17837 OF 2017

TMT.MAHALAKSHMI, W/O.(LATE). PURUSHOTHAMAN,  
NO.10 MAKALIKUDI RAJA STREET,  
S.KANNANUR SAMAYAPURAM POST  
MANACHANALLUR TK, TRICHY DT- 621 112

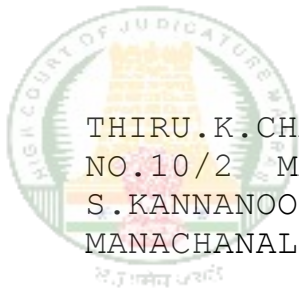
... 3<sup>RD</sup> RESPONDENT  
IN WP (MD)NO.17838 OF 2017

TMT.KRISHNAVENI,  
W/O.LATE. NARAYANAN MAKALIKUDI NEW STREET,  
S.KANNANUR SAMAYAPURAM POST  
MANACHANALLUR TK, TRICHY DT- 621112

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD)NO.17839 OF 2017

THIRU.K.CHANDRASEKAR, S/O.KRISHNASAMY RAJA,  
NO.10/2 MAKALIKUDI RAJA STREET,  
S.KANNANUR SAMAYAPURAM POST,  
MANACHANALLUR TK, TIRUCHIRAPALLI DT-621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD)NO.17840 OF 2017



THIRU.K.CHANDRDASEKAR, S/O.KRISHNASAMY RAJA,  
NO.10/2 MAKALIKUDI RAJA STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TIRUCHIRAPALLI DT-621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17841 OF 2017

TMT.CKALAVATHI  
NO.22/4 MAKALIKUDI NEW STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TRICHY DT- 621 112

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17842 OF 2017

THIRU S.SIVA, S/O. SUBBARAYAN,  
13 SOUTH NEW STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TRICHY DISTRICT- 621112

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17843 OF 2017

THIRU.N.RAMESH S/O.NATESAN  
NO.24/1 AMBALAKARA STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TIRUCHIRAPALLI DT-621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17844 OF 2017

THIRU.G.SUNDARRAJ, S/O.GOVINDARAJ,  
L.MARUTHUR VILLAGE LALAGUDI TALUK,  
TRICHY DISTRICT.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17845 OF 2017

THIRU.G.SAKTHIVEL  
NO.2 MAKALIKUDI RAJA STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TRICHY DT- 621 112 ... 3<sup>RD</sup> RESPONDENT

IN WP (MD) NO.17846 OF 2017

THIRU K.KUMAR, S/O. KRISHNAN,  
MAKHALIKUDI HARIJAN STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TRICHY DISTRICT- 621112

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17847 OF 2017

THIRU.A.RAMESH, S/O.APPAVU PILLAI,  
NO.24 BAZAR STREET, MARUTHUR ROAD NORTH SIDE,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANACHANALLUR TK, TIRUCHIRAPALLI DT-621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17848 OF 2017

THIRU.M.NATARAJAN, S/O.MARUTHAMUTHU,  
NO.9 NORTH STREET, THUDAIYUR VILLAGE POST,  
MANACHANALLUR TK, TRICHY DISTRICT- 621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP (MD) NO.17849 OF 2017



THIRU.K.VENKATACHALAPATHY, S/O.KRISHNASAMY RAJA,  
NO.2 RAJA KALLIKUDI  
S.KANNANNOOR SAMAYAPURAM POST  
MANNACHANALLUR TK, TRICHY DT- 621 112

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17850 OF 2017

THIRU P.KRISHNA BHARATHI, S/O. PANNEER SELVAM,  
NO.27 TEACHERS COLONY,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DISTRICT- 621112

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17851 OF 2017

THIRU.S.SIVAKUMAR, S/O.SINGARAM,  
NO.1/80 KALLAR STREET,  
L.MARUTHOOR POST, LALKUDI TK, TRICHY DIST.

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17852 OF 2017

THIRU.P.MURUGESAN, S/O.PITCHAI,  
MAKALIKUDI HARIJAN STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
TRICHY DISTRICT- 621 112.

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17853 OF 2017

THIRU.C.RAMESH, S/O.CHELLAPPA,  
NO.16 NEW STREET, SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DT- 621 112

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17854 OF 2017

THIRU M.GOVINDARAJ, S/O.MUTHU KANNU,  
NO.121 SAMAYAPURAM VILLAGE,  
SAMAYAPURAM POST, MANNACHANALLUR TK,  
TRICHY DISTRICT- 621112

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17855 OF 2017

THIRU.P.KARTHICK, S/O.PALANIYANDI,  
NO.35/1 INDIRA COLONY NORTH,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DIST - 621 112.

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17856 OF 2017

TMT.THILAGAVATHI, W/O.LATE R.MURALI,  
MAKALIKUDI NORTH VELLALAR STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANNACHANALLUR TALUK, TRICHY DISTRICT-621 112.

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17857 OF 2017

THIRU.M.SEKAR, S/O.MOOKKAN,  
NO.21 MAKALIGUDI NEW STREET,  
S.KANNANNOOR SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DT- 621 112

... 3<sup>RD</sup> RESPONDENT

IN WP(MD)NO.17858 OF 2017



THIRU S.KUMAR  
NO.10. MAKALIKUDI HARIJAN STREET,  
S.KANNANOOR SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DISTRICT- 621112

... 3<sup>RD</sup> RESPONDENT  
IN WP(MD)NO.17859 OF 2017

THIRU.R.ELANGO VAN,  
NO.25 MAKALIGUDI HARIJAN STREET,  
S.KANNANOOR SAMAYAPURAM POST,  
MANNACHANALLUR TK, TRICHY DIST - 621 112.

... 3<sup>RD</sup> RESPONDENT  
IN WP(MD)NO.17860 OF 2017

**COMMON PRAYER:** Writ Petitions filed under Article 226 of the Constitution of India to issue Writ of Mandamus to direct the Respondents 1 and 2 to initiate recovery proceedings against the 3rd Respondent under Revenue Recovery Act based on the claim proceedings made by the Petitioners Town Panchayat in Na.Ka.No.A1/33/2007 dated 13.02.2017 (in WP(MD)Nos. 17836 to 17857 of 2017) Na.Ka.No.A1/33/2007 dated 21.03.2016 (in WP(MD)No.17858 of 2017) and dated 13.02.2017 (WP(MD)Nos.17836 to 17860 of 2017 respectively) and to proceed to recover the arrear amount, together with interest with in the stipulated time may be fixed by this Honble Court.

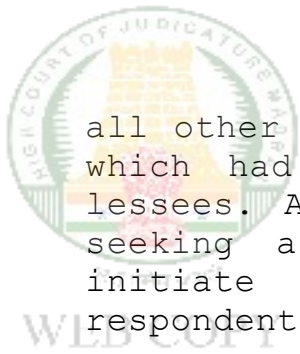
For Petitioner : Mr.M.Saravanakumar  
(In all cases)  
For R.1 & R.2 : Mr.S.Kumar,  
(In all cases) Additional Government Pleader

#### COMMON ORDER

As the issue involved in all these writ petitions are similar in nature, they are disposed of by this common order.

2.By consent, these writ petitions are taken up for final disposal at the stage of admission itself. Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondents 1 & 2 in all cases.

3.The petitioner Panchayat, in the year 2007, passed a resolution to rent out the shops and other properties, by way of public auction and pursuant to the same, they conducted public auction and allotted the shops to the highest bidders, i.e., the third respondents herein in all these petitions and necessary lease deeds had also been executed between the parties. While so, the lessees failed to pay the rent regularly and the arrears were getting accumulated. In the meanwhile, the petitioner Panchayat has sent several notices periodically and finally on 21.03.2016 in respect of W.P(MD)No.17858 of 2017 & on 13.02.2017 in respect of



all other writ petitions, marking a copy to the first respondent, which had also failed to meet its fate at the hands of the lessees. Aggrieved thereby, the petitioner is before this Court, seeking a direction to the first and second respondents to initiate recovery proceedings against the defaulters/third respondents herein.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the petitioner to submit a copy of the notices dated 21.03.2016 & 13.02.2017 along with a copy of this order to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the same and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the third respondent in all the cases, within a period of four weeks thereafter.

5. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Tiruchirappalli District,  
Collectorate,  
Tiruchirappalli.
2. The Tahsildar,  
Manachanallur Taluk,  
Manachanallur Post & Taluk,  
Tiruchirappalli.

+1cc to Spl.Government Pleader Sr.No.80909 to 80932

GK  
VB/SV/MMS/SAR1/05/10/2017/5P/4C

**W.P. (MD) No.17836 to 17860 of 2017  
and  
W.M.P (MD) Nos.14353 to 14377 of 2017  
21.09.2017**