

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.18268 & 18269 of 2018

Murugesan
S/o Thangaraj .. Petitioner in W.P.No.18268 of 2018
Baththiran
S/o Rangasamy .. Petitioner in W.P.No.18269 of 2018

-vs-

1. The District Collector
Erode District
2. The Revenue Divisional Officer
Gobichettipalayam, Erode District
3. The Tahsildar
Sathyamangalam Taluk
Erode District
.. Respondents in both the writ petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to grant allotment of land to the petitioners in S.No.372/4, Kurumbalayam Village, Sathyamangalam Taluk on receipt of market value of the lands.

For Petitioners :: Mr.Nirmaleswar.T
For Respondents :: Mr.M.Jothikumar
Additional Government Pleader

ORDER

The petitioners have come to this Court seeking a mandamus directing the respondents to grant allotment of land to the petitioners in S.No.372/4, Kurumbalayam Village, Sathyamangalam Taluk on receipt of market value of the lands.

2. Learned counsel for the petitioners submitted that the petitioners have been in possession and enjoyment of the property covered in S.No.372/4, Kurumbalayam Village, Sathyamangalam Taluk for more than 18 years by paying the kist and property tax from the year 2000 onwards. Hence, they should

be granted with the patta.

3. The record shows that the petitioners have filed only the copies of kist and property tax receipts in support of their claim. However, the kist receipts for payment of Rs.15/-, Rs.10/-, Rs.19/- etc., did not reflect the period for which the amount was paid nor the seal of the authority. Even some of the kist receipts did not show the date of payment. Moreover, the house tax receipts have been filed only for the period 2008-09, 2010-11, 2015-16 & 2016-17 for payment of tax of Rs.44/-, Rs.55/- & Rs.66/- respectively. Taking advantage of the house tax receipts, the petitioners, without producing the copies of the adangal or chitta to show that they are in possession of the land covered in S.No.372/4, Kurumbalayam village, cannot come to this Court seeking a mandamus for allotment of patta. Hence, this Court is not inclined to entertain the writ petitions. Accordingly, the writ petitions are dismissed. Consequently, W.M.P.Nos.21593 & 21594 of 2018 are also dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Erode District
2. The Revenue Divisional Officer
Gobichettipalayam, Erode District
3. The Tahsildar
Sathyamangalam Taluk
Erode District

+1cc to the Government Pleader, S.R.No.48543 & 48544

W.P.Nos.18268 & 18269 of 2018

GSP(31/07/2018)