



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.6131 of 2018

1.B.Kalpana
2.C.Meenambikai
3.D.Saravana Pava
4.P.Rajamuthu
5.S.Rajathi Soundarapandi

... Petitioners

Vs.

The Special Tahsildar,
Adi Dravidar Welfare Department,
(Land Acquisition),
Rajapalayam

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to refund the TDS amount deducted by the respondent to each of the petitioner at Rs.1,10,432/- based on the petitioner's representation dated 21.12.2017 within a time stipulated by this Court.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.M.Rajarajan,
Government Advocate

ORDER

This writ petition has been filed seeking direction to the the respondent to refund the TDS amount deducted by the respondent to each of the petitioner at Rs.1,10,432/- based on the petitioners representation dated 21.12.2017 within a time stipulated by this Court.

2.According to the petitioners, the agricultural lands of the petitioners have been acquired by the Government for the purpose of providing house-sites to the adi dravidars and thereafter, award was also passed in L.A.O.P.Nos.164, 165,166, 167 and 169/1995 on the file of the Sub Court, Srivilliputhur. At the time of paying award, the respondent has deducted some amount
<https://hdcservicesprodts.gov.in/hcservice> Deducted at Source. Since the acquired lands are agricultural lands, the question of deducting Tax at Source does not arise. Hence, they have submitted a representation dated



21.12.2017 seeking refund of the said amount. Since no order has been passed so far, the petitioners have filed the present writ petition.

3. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 21.12.2017 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Special Tahsildar,
Adi Dravidar Welfare Department,
(Land Acquisition), Rajapalayam.

+ 5 ccs TO Mr. A. Sivaji , Advocate in SR No. 57744

sms
AE/SKN RSK/SAR3/12.04.2018/2P/7C

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