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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.5169 of 2012

Muniappan

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
3. Tahsildar,
Dharmapuri Taluk Office,
Dharmapuri,
Dharmapuri District.
4. The Village Administrative Officer,
Thinnampatti,
Dharmapuri Taluk,
Dharmapuri District.
- 5.Vijayalakshmi
- 6.Mynavathy
- 7.Vennila
- 8.Subramaniam
- 9.Jayanthi
- 10.Chitra

... Respondents

[R5 to R10 are impleaded as per order of this Court dated 09.11.2017 in M.P.No.1 of 2012 in W.P.No.5169 of 2012]

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to



direct the respondents herein to receive the land tax payable for the period from 2010 onwards and also to enter the petitioner name in Adangal Register pertaining to the land in Survey No.89 of an extent of 2.47 acres of land in Konnangiali Majira, Thinnampatti Village, Dharmapuri Taluk and District pursuant to the petitioner's representation dated 27.12.2010.

For Petitioner : Mr.Rajkumar
for Mr.T.Muruganantham

For R1 to R4 : Mr.K.M.D.Muhilan
Government Advocate

For R5 to R10 : Mr.A.A.Kumar

O R D E R

(Through Video Conferencing)

The relief sought for in the present writ petition is to direct the respondents herein to receive the land tax payable for the period from 2010 onwards and also to enter the petitioner's name in Adangal Register pertaining to the land in Survey No.89, to an extent of 2.47 acres, in Konnangiali Majira, Thinnampatti Village, Dharmapuri Taluk and District, pursuant to the petitioner's representation dated 27.12.2010.

2.The relief as such sought for in the present writ petition cannot be granted unless the petitioner's right in respect of the property is crystallized. The counter affidavit filed by the Tahsildar, Dharmapuri, states that the petitioner is not even a registered cultivating tenant and the Village Administrative Officer refused to receive the land revenue and issue Adangal extract to him. Further, the petitioner is not the land owner and therefore, he could not claim any right to pay the land revenue or register his name as tenant for the land measuring 2.47 acres in Konnangiali Majira, Thinnampatti Village, Dharmapuri Taluk and District.

3.By merely attempting to pay the land tax, the petitioner cannot ascertain his property right. In view of the fact that the petitioner is not able to establish his right over the property, the refusal to accept the land tax cannot be found fault with. The petitioner is not the owner and not even a registered cultivating tenant. This being the factum, this Court has no hesitation in arriving at a conclusion that the petitioner has not established even a semblance of legal right for the purpose of granting the relief as such sought for in the



present writ petition.

Accordingly, the writ petition is dismissed. No costs.

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Sd/-
Assistant Registrar(Lok Adalat)

//True Copy//

Sub Assistant Registrar

mkn

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
3. The Tahsildar,
Dharmapuri Taluk Office,
Dharmapuri,
Dharmapuri District.
4. The Village Administrative Officer,
Thinnampatti,
Dharmapuri Taluk,
Dharmapuri District.

+1cc to the Government Pleader, S.R.No.54636

W.P.No.5169 of 2012

GMR(CO)
SU(10/11/2021)