



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. No.15729 of 2021

and

W.M.P. No. 16626 of 2021

1. P.Gopal,
S/o. Periyakulandai

2. P.Munusamy,
S/o. Periyakulandai

...Petitioners

-Vs-

1. The District Collector,
Vellore Dt., Vellore.

2. The Revenue Divisional Officer,
Vellore Division,
Vellore Dt.

3. The Tahsildar,
Anaicut Taluk,
Vellore Dt.

4. The Inspector of Police,
Ariyur Police Station,
Anaicut Taluk, Vellore Dt.

5. The Village Administrative Officer,
Pulimedu Village,
Anaicut Taluk, Vellore Dt.

6. C.Rengasamy,
S/o. Chinnakulandai

7. C.Palani,
S/o. Chinnakulandai

8. Tmt. Chandra,
D/o. Chinnakulandai

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to conduct enquiry



and cancel the land tax receipt (kist) issued in favour of Chinnakulandai by the Revenue Department on various dates in Survey No.272/3, by considering the petitioners representation dated 28.06.2021 and consequently direct the respondents to survey the land in Survey Nos.272/3 and 264/4 an extent of 3.54 acre situated at Pulimedu Village, Anaicut Taluk, Vellore District as per the land assignment order vide proceeding No.D.K. No.123/78 dated 09.07.1969 and fix the boundary.

For Petitioner : Mr.R.Govindasamy

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R5

O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction directing the respondents 1 to 3 to consider the petitioners representation dated 28.06.2021 requesting to conduct enquiry and cancel the land tax receipt issued in favour of Chinnakulandai by the revenue department on various dates in Survey No.272/3 and also to survey the land in Survey Nos.272/3 and 264/4 admeasuring an extent of 3.54 acre situated at Pulimedu Village, Anaicut Taluk, Vellore District and to fix the boundary.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the respondents 6 to 8, notice to the respondents 6 to 8 are dispensed with.

3. The grievance of the petitioner is that, the petitioner's father and his brother one Chinnakulandai were given separate assignment in respect of Survey No.273/1 in Pulimedu Village, Anaicut Taluk, Vellore District, and they were in possession and enjoyment of the property. After the death of petitioners father's brother, the respondents 6 to 8, who are legal heirs of their father's brother have created a forged kist receipt and based on the same, they have obtained electricity connection and now, they are claiming right over the property. Hence, to enquire about the alleged kist receipt produced by the respondents 6 to 8 and to find out the veracity of alleged kist receipt, the petitioners have submitted a representation before the 3rd respondent Tahsildar on 28.06.2021. But, so far, that representation was not considered and no order has been passed on it. Hence, the present writ petition has been filed by the petitioners.



4. Mr. R.Govindasamy, learned counsel appearing for petitioner would submit that, 3rd respondent Tahsildar may be directed to consider the petitioners' representation and to conduct enquiry and pass orders after hearing the petitioners as well as respondents 6 to 8 within a time to be fixed by this Court.

5. Considering the limited prayer sought in the Writ Petition, without going into the merits of case, the 3rd respondent Tahsildar is directed to consider the petitioners' representation and pass suitable orders on merits in accordance with law after hearing the petitioners as well as respondents 6 to 8 within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Vellore Dt., Vellore.
2. The Revenue Divisional Officer,
Vellore Division, Vellore Dt.
3. The Tahsildar,
Anaicut Taluk, Vellore Dt.
4. The Inspector of Police,
Ariyur Police Station,
Anaicut Taluk, Vellore Dt.
5. The Village Administrative Officer,
Pulimedu Village,
Anaicut Taluk, Vellore Dt.

+1cc to Mr.R.Govindasamy, Advocate, S.R.No.36772
+1cc to the Government Pleader, S.R.No.37359

W.P.No.15729 of 2021

PMK(CO)
CT(24/08/2021)