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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.6711 OF 2022

M.Mohamaded Yasin

... Petitioner

Vs.

1. The District Collector,
Office of District Collector,
Kallakurichi,
Kallakurichi District.
2. The District Revenue Officer,
Office of District Revenue Officer,
Kallakurichi,
Kallakurichi District.
3. The Revenue Divisional Officer,
Kallakurichi,
Kallakurichi District.
4. The Tahsildar,
Shankarapuram,
Kallakurichi.
5. The Revenue Inspector,
Alattur,
Kallakurichi.
6. The Village Administrative Officer,
Alattur, Algapuram, Shankarapuram (Taluk),
Kallakurichi.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner representation dated 01.12.2021 for re-conveyance of his land comprised in 74, 29/12, 29/11, 43/11, 44/11, 23/1, 16/1, 49/1, 49/3, 49/6, 47/7 situated at Alattur Village, Kallakurichi District within time frame as fixed by this Court as per Revenue Standing Order No.45(4).



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For Petitioner : Mr.K.Myilsamy
For Respondents : Mr.R.P.Murugan Raja
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 01.12.2021 for re-conveyance of his land comprised in S.Nos.74, 29/12, 29/11, 43/11, 44/11, 23/1, 16/1, 49/1, 49/3, 49/6, and 47/7 situated at Alattur Village, Kallakurichi District, within time frame as may be fixed by this Court as per Revenue Standing Order No.45(4).

2. The case of the petitioner is that the aforesaid properties are the petitioner's ancestors' properties. The petitioner, along with other legal heirs are the absolute owner of the properties by virtue of inheritance. The petitioner was declared as legal heir in O.S.No.10 of 2021 on the file of II Additional District Munsiff Judge at Kallakurichi. For the aforesaid lands, the petitioners' ancestors were unable to pay land tax to the Government. Due to non-payment of Land Tax, the properties was taken by the Government and auction was conducted for recovering arrears of tax. However, the subject properties were not taken by any of the participants, and therefore, the Government retained the subject properties as "Nila Ela Tharису". Thereafter, the petitioner has made a representation dated 01.12.2021 before the first respondent, seeking re-conveyance of the aforesaid lands and the petitioner also agreed to pay the entire arrears of land revenue in terms of Revenue Standing Order No.45-4. As the said representation made by the petitioner has evoked no response from the first respondent, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that, it would suffice, if this Court, issues direction to the first respondent to consider the petitioner's representation dated 01.12.2021 for re-conveyance of his lands within a time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 01.12.2021 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the



date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jd/skt

To

1. The District Collector,
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Kallakurichi District.
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Office of District Revenue Officer,
Kallakurichi,
Kallakurichi District.
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Alattur,
Kallakurichi.
6. The Village Administrative Officer,
Alattur, Algapuram, Shankarapuram (Taluk),
Kallakurichi.

+1cc to Mr.K.Myilsamy, Advocate, S.R.No.20222

+1cc to the Government Pleader, S.R.No.20604

W.P. No.6711 of 2022

PL(CO)
PM/27/04/2022