



W.P.(MD)No.12803 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.12803 of 2022

Gowtham

... Petitioner

versus

1. The Assistant Commissioner,
Prohibition and Excise Department,
Cheppakkam,
Chennai – 600 005.

2. The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Theni District.

3. The Sub Registrar,
Sub Registrar Office,
Bodinaickanur,
Theni District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent Nos.1 and 2 herein to release the levy the notional loss to the tune of Rs.6,49,394/- from the legal heirs of the petitioner vendor's



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predecessors and give no objection for registering the property comprised in Sur.Nos.1651/1A & 1651/2A admeasuring to an extent of 2 Acre and 63 cents bearing old Patta No.1630 & 1682, New Patta No. 1830 situated at Bodinaickanur, Periyakulam Taluk, Theni District by considering the petitioner's representation dated 07.05.2022 within a stipulated time period in accordance with law.

For Petitioner : M/s.P.Pandi Rani

For R1 and R2 : Mr.C.Satheesh,
Government Advocate

For R3 : Mr.K.S.Selvaganesan,
Additional Govt. Pleader

ORDER

This writ petition has been filed seeking for the issuance of Writ of Mandamus, to direct the respondent Nos.1 and 2 herein to release the levy of notional loss to the tune of Rs.6,49,394/- imposed against the legal heirs of the petitioner vendor's predecessors and give no objection for registering the property comprised in Survey Nos. 1651/1A & 1651/2A admeasuring to an extent of 2 Acre and 63 cents



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bearing old Patta No.1630 & 1682, New Patta No.1830 situated at Bodinaickanur, Periyakulam Taluk, Theni District, by considering the petitioner's representation dated 07.05.2022 within a stipulated time.

2. The learned counsel for the petitioner confined his relief to the limited extent of directing the respondents 1 and 2 to consider the petitioner's representation dated 07.05.2022 within a stipulated time.

3. The learned Government Advocate appearing for the respondents 1 and 2 submits that the respondents would consider the petitioner's representation dated 07.05.2022 within a reasonable time.

4. Considering the limited prayer sought for by the learned counsel for the petitioner, this Court, without going into merits of the case, directs the respondents 1 and 2 to consider the petitioner's representation, dated 07.05.2022, on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a



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copy of this order.

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5. With the above direction, the writ petition is disposed of.

No costs.

22.06.2022

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To

1. The Assistant Commissioner,
Prohibition and Excise Department,
Cheppakkam,
Chennai – 600 005.
2. The Assistant Commissioner (Excise),
Prohibition and Excise Department,
Theni District.
3. The Sub Registrar,
Sub Registrar Office,
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B.PUGALENDHI, J.

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