



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) Nos.23520 and 23529 of 2015

and

W.M.P. (MD) Nos.12477 and 12478 of 2016

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W.P. (MD)No.23520 of 2015

V.Vasanthakumari

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Madurai North Taluk Office,
Madurai District.
3. The Sub Treasury Officer,
Sub Treasury Office,
Madurai North,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of mandamus, to direct the second respondent to consider the petitioner's representation dated 04.11.2014 and consequently, direct the second respondent to return the holding amount of Rs.55,680/- with interest till realization of the amount made to the petitioner within the time limit stipulated by this Court.

For Petitioner : Mr.A.Purantharadhas

For Respondents : Mr.A.Baskaran,
Additional Government Pleader

W.P. (MD) Nos.23529 of 2015

Shanmugaraj

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Madurai North Taluk Office,
Madurai District.



3. The Sub Treasury Officer,
Sub Treasury Office,
Madurai North,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of mandamus, to direct the second respondent to consider the petitioner's representation dated 04.11.2014 and consequently, direct the second respondent to return the holding amount of Rs.2,99,520/- with interest till realization of the amount made to the petitioner within the time limit stipulated by this Court.

For Petitioner : Mr.A.Purantharadhas
For Respondents : Mr.A.Baskaran,
Additional Government Pleader

COMMON ORDER

These writ petitions are filed for a mandamus, directing the second respondent to consider the petitioners' representations dated 04.11.2014 for return of holding amount with interest.

2. The second respondent assigned Plot Nos.28/2 and 28 situated at J.J.Nagar, Ulaganeri, Madurai District, in the name of the petitioners and also assigned patta in their names on 14.09.2004. But, the same were not handed over to the petitioners. Based on the allotment, the petitioners have also remitted a sum of Rs.55,680/- and Rs.2,99,520/- respectively, in the Treasury, Tallakulam in the year 2004 itself. While so, the respondents have taken a stand that the petitioners are not entitled for assignment. Therefore, the petitioners made representations on 04.11.2014 to the second respondent, for return of deposited amount along with interest. But, the same were not considered. Hence, the petitioners are before this Court.

3. The learned Additional Government Pleader appearing for the respondents submits that the lands referred by the petitioners are allotted to the High Court in the year 1998 and the revenue records have been mutated to that effect. However, based on the bogus assignment order, the petitioners are claiming right over the property.

4. This Court considered the rival submissions made.

5. The petitioners, based on the assignment order, have remitted a sum of Rs.55,680/- and Rs.2,99,520/- respectively in the Treasury, Tallakulam. They also enclosed the receipt for the same and also placed the assignment orders in the typed set of papers. However, the respondents are claiming that the assignment orders claimed by the petitioners are bogus. But, the facts remains that



the petitioners' representations dated 14.09.2014 were not considered by the second respondent.

6. In view of the same, the writ petitions are disposed of with a direction to the District Collector, Madurai, to conduct an enquiry by deputing an Enquiry Officer to find out the truth as to how they are in possession of bogus assignment orders and whether any amount has been paid by the petitioners, based on this assignment orders and if so, find out the officials who are responsible for the same and take action against them in accordance with law. The petitioners shall co-operate for the enquiry and produce all the documents before the Enquiry Officer. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Madurai North Taluk Office,
Madurai District.
3. The Sub Treasury Officer,
Sub Treasury Office,
Madurai North,
Madurai District.

+2 CC to M/s.A. PURANTHAVADHAS, Advocate (SR-18203[F]
dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18621[F] dated 13/04/2022)

W.P. (MD) Nos.23520 and 23529 of 2015

12.04.2022

ARK (CO)

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