



W.P.(MD)No.21215 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.21215 of 2021

K.Murugaiah

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Tenkasi District.
- 3.The Adhidraavidar and Tribal Welfare Officer,
Office of the Adhidraavidar and Tribal Welfare Office,
Tenkasi District.
- 4.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.
- 5.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
- 6.The Commissioner,
Kadayanallur Municipality,
Tenkasi District.

... Respondents



W.P.(MD)No.21215 of 2021

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.07.2021 and consequently direct the second respondent to conduct detailed enquiry with record to the petitioner's land in Punjai Survey No.735/1 vide in Patta No.303 of Kadayanallur Village, Kadayanallur Taluk (now 6th respondent) and Tenkasi District.

For Petitioner : Mr.V.Muthuvelan

For R-1 to R-5 : Mrs.D.Farjana Ghoushia
Special Government Pleader

For R-6 : Mr.M.Rajaraman

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to conduct an enquiry on the representation made by the petitioner on 19.07.2021, wherein the petitioner has sought for corrections in the revenue records and for conducting a survey and to restore the patta to its original position.

2. The fifth respondent has filed a detailed counter and has taken a very clear stand that the subject property has been classified as Sarkar Poramboke Natham and the property was also utilized by the sixth respondent who had constructed a community hall and it has been sanctioned in favour of the third



W.P.(MD)No.21215 of 2021

respondent by the first respondent in the year 2018. In view of the same, it is stated that the community hall is now being used and there is no scope for acting upon the representation made by the petitioner in this regard.

3. Heard the learned counsel appearing on behalf of the petitioner, the learned Special Government Pleader appearing on behalf of the respondents 1 to 5 and the learned counsel appearing on behalf of the sixth respondent.

4. Taking into consideration the facts and circumstances of the case and the specific stand that has been taken by the respondents 5 and 6, there shall be a direction to the second respondent to convey to the petitioner the decision taken within a period of four (4) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs.

20.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

Nsr



W.P.(MD)No.21215 of 2021

WEB COPY

- 1.The District Collector,
Tenkasi District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Tenkasi District.
- 3.The Adhidravidar and Tribal Welfare Officer,
Office of the Adhidravidar and Tribal Welfare Office,
Tenkasi District.
- 4.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.
- 5.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
- 6.The Commissioner,
Kadayanallur Municipality,
Tenkasi District.



WEB COPY



W.P.(MD)No.21215 of 2021

N.ANAND VENKATESH, J.

Nsr

W.P.(MD)No.21215 of 2021

20.11.2023