



W.P. No.5049 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5049 of 2024

Selvanathan

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Kallakurichi & District.

2.The Tahsildar,
Kallakurichi & District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21-12-2023 and mute the all revenue records in our favor in respect the Survey Number 122/22 and 122/23 in Akarakottalam Village, Kallakurichi Taluk and District within a time frame fixed by this Court.

For Petitioner : Mr. V. Gunasekar

For Respondents : Mr. T. Arun Kumar,
Additional Government Pleader.



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ORDER

This Writ Petition is filed by the petitioner seeking to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.12.2023 and mutate the all revenue records in their favor in respect the Survey Nos.122/22 and 122/23 in Akarakottalam Village, Kallakurichi Taluk and District within a time frame fixed by this Court.

2. The learned counsel for the petitioner submitted that it would suffice if a direction is issued to the respondents to consider the petitioner's representation dated 21.12.2023 within a stipulated time as may be directed by this Court.

3. Mr. T.Arunkumar, learned Additional Government Pleader who takes notice for the respondents submitted that already the petitioner has got one house site and his wife has got another house site and once again, they are seeking land.



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4. Heard both sides and perused the materials available on record.

5. Though in paragraph No.3 of the affidavit, the petitioner has stated that he has already got assignment in his favour in S.No.126/22 and his wife has got assignment in S.No.126/23, the present Writ Petition is filed seeking direction to consider the petitioner's representation and mutate the all revenue records in his favor in respect the Survey Nos.122/22 and 122/23. The learned counsel for the petitioner submits that the petitioner has got only houses and they don't have any vacant land for further construction and therefore, they seek vacant site.

6. Page No.11 of the typed set annexed with this petition also shows that already a vacant site was assigned to the wife of the petitioner in Survey No.126/23 and Page No.21 shows that another house site was assigned in favour of the petitioner in S.No.126/22. Since the petitioner has already got assignment in his name and also in his wife's name, the petitioner is not entitled for any further house sites.



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7. Therefore, this Writ petition is dismissed at the admission stage itself. No costs.

8. Before parting with this case, this Court directs the District Collector/1st respondent to issue notice to the petitioner and to the wife of the petitioner and conduct enquiry and submit a report before this Court as to how, more than one house sites were allotted to the petitioner's family. After conducting enquiry, if it is found that the petitioner's family has got more than one house sites in this village or any other villages, the same shall be cancelled, except one.

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Index : Yes / No
Speaking Order : Yes / No
Neutral Case Citation : Yes/No

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To
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- 1.The District Collector,
District Collectorate,
Kallakurichi & District.
- 2.The Tahsildar,
Kallakurichi & District.



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P.VELMURUGAN. J.

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