



WEB COPY



W.P.No.20271 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.20271 of 2021

K.Vignesh

... Petitioner

Vs.

The Executive Officer,
Lakkampatty Town Panchayat,
Karattadipalayam,
Erode District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in his order in A.Thi.Mu.No.322/2020 dated 23.10.2020 by the respondent quash the same and direct the respondent to change the name in the property tax receipt to D.No.7/20A, ward No.14, Dharani Nagar, Lakkampatty Village, Karattadipalayam, Gobichettipalayam, Erode District in N.S.No.115/3 (Old S.No.338, 339A, 339C) extent of 1.59 hector land in which 1960 sq. feet of land with building and ACC sheet belongs to the petitioner.

For Petitioner : Mr.SP.Yuaraj

For Respondent : Mr.V.Nanmaran
Additional Government Pleader



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ORDER

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This writ petition has been filed in the nature of a Certiorarified Mandamus seeking records relevant to the respondent viz., Executive Officer, Lakkampatty Town Panchayat, Karattadipalayam, Erode District, dated 23.10.2020 and quash the same and also direct the said respondent to change the name of the property tax receipt in Door No.7/20A, ward No.14, Dharani Nagar, Lakkampatty Village, Karattadipalaym, Gobichettipalayam, Erode District in new survey No.115/3, measuring 1.59 hector land in which 1960 sq. ft., land and building which belongs to the petitioner.

2. In the affidavit filed in support of the writ petition, it has been stated that the petitioner had purchased 1960 sq.ft., out of a larger area of 1.59 hectares in new survey No.115/3 at Lakkampatty Village, Karattadipalaym, Gobichettipalayam, Erode District, from one A.Arumugam by a sale deed dated 01.02.2019 registered as document No.247/2019. When the petitioner attempted to pay the property tax, it was refused by the respondent. The petitioner then paid the property tax in the name of A.Arumugam viz., the vendor. That property tax has been received by the respondent.



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3. Thereafter, the impugned order has been passed. In the impugned order, it had been stated that the land belongs to the panchayat and that it has to be handed over to the panchayat. Therefore, the name of the petitioner cannot be incorporated in the revenue records.

4. A detailed enquiry has to be conducted by the respondent. The petitioner may be put on notice. The document by which the petitioner had purchased the property may be examined. The nature of land may be further examined by the respondent and then a detailed order has to be passed by the respondent. The impugned order does not indicate that the petitioner has been granted an opportunity of being heard.

5. The impugned order is set aside. The matter is remitted back to the respondent for fresh examination. The respondent may conduct necessary enquiry and pass orders within a period of three months from the date of receipt of a copy of this Order.



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WEB COPY 6. Accordingly, the Writ Petition stands allowed. There shall be no order as to costs.

17.12.2024

Index: Yes/No

Neutral Citation : Yes/No

Speaking/Non Speaking order

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To

The Executive Officer,
Lakkampatty Town Panchayat,
Karattadipalayam,
Erode District.



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C.V.KARTHIKEYAN, J.

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