



W.P.(MD) No.28318 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD) No.28318 of 2024

Pushbalatha

...

Petitioner

-VS-

1.The District Collector,
Thanjavur District.

2.The Revenue Divisional Officer,
Pattukkottai,
Thanjavur District

3.The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.

4.The Village Administrative Officer,
Aripurakkarai Village,
Pattukkottai.

5.The Commissioner,
Adirampattinam Municipality,
Adiramapattinam,
Thanjavur District.

6.Viswanathan

...

Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents no.1 to 3 to cancel the Chitta in Chitta No.1750/535 issued by the 4th respondent in favour of the 6th respondent and issue patta in name of the petitioner's house which is situated in Door No.28, Muthammal Street, Adirampattinam, bearing S.No.64/81, Yeripurakkarai Village, Pattukkottai Taluk, Thanjavur District, and consequently direct the 5th respondent to accept the House tax from the petitioner to her house based on her representation, dated 23.10.2024.

For Petitioner : Mrs.S.Sathya Chidambaram

For Respondents 1 to 4 : Mr.A.Kannan,
Addl. Govt. Pleader.

ORDER

This Writ Petition is filed for a mandamus, directing the respondents no.1 to 3 to cancel the Chitta in Chitta No.1750/535 issued by the 4th respondent in favour of the 6th respondent and issue patta in name of the petitioner's house, which is situated in Door No.28, Muthammal Street, Adirampattinam, bearing S.No.64/81, Yeripurakkarai Village, Pattukkottai Taluk, Thanjavur District, and consequently to direct the 5th respondent to accept the house tax from the petitioner to her house based on her representation, dated 23.10.2024.



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2. The petitioner is a widow and an agricultural Coolie. She is residing at Door No.28, Muthammal Street, Adirampattinam, bearing S.No. 64/81, in Yeripurakkarai Village, Pattukkottai Taluk, Thanjavur District. While so, she applied for electricity connection to the above house, for which she was directed by the authorities concerned to produce property tax receipts for the said house. When the petitioner approached the fifth respondent to pay property tax, she was given to understand that her name was recorded in the death list in the office of the Commissionerate of Revenue Administration and, therefore, the fifth respondent refused to accept the tax amount and issue receipt. On further enquiry, the petitioner came to know that one Viswanathan, son of Maruthaiyan, who is the sixth respondent herein, obtained patta and chitta for the subject property, by giving false information to the authorities that the petitioner died. The petitioner, therefore, sent a representation to the first respondent on 27.09.2024, and also submitted a representation on 23.10.2024, to respondents 1 to 5 in person to cancel the chitta in Chitta No.1750/535. As there was no response from the official respondents, the petitioner filed the above writ petition for the aforesaid relief.



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3. Learned Additional Government Pleader, on instructions, submits that in pursuance of the petitioner's aforesaid representations, an enquiry is scheduled to be conducted on 06.12.2024, by the third respondent.

4. Considering the submission of the learned Additional Government Pleader, a direction is issued to the third respondent to send the final report on the enquiry, to be conducted by him, within a period of four weeks from the date of enquiry i.e., 06.12.2024, to the second respondent. The second respondent, on receipt of the report from the third respondent, shall pass final orders within a period of four weeks thereafter. It is needless to state that the respondents 2 and 3 shall give an opportunity of hearing to the petitioner as well as the sixth respondent, before passing final orders.

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

27.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dixit



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N.MALA, J.

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