

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.12390 of 2016  
and  
W.M.P.No.10726 of 2016

1.S.Panneerselvam  
2.S.Anandan  
3.S.Sampath  
4.S.Vedantham  
5.Sagunthalammal ... Petitioners

Vs.

1.The State of Tamil Nadu,  
rep by the District Collector,  
Vellore,  
Vellore District.  
2.The Tahsildar,  
Arakkonam  
Vellore District.  
3.The Block Development Officer (BD),  
Nemili,  
Nemili Taluk,  
Vellore District.  
4.Geethapriya Raja  
Panchayat President,  
Pallur Village,  
Arakkonam Taluk,  
Vellore District.  
5.The Inspector of Police,  
Nemili Police Station,  
Nemili Taluk, Vellore District.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the second respondent herein to enter the joint names of the petitioners in the revenue records, such as adangal, etc., suitably and issue joint patta in the names of

the petitioners for the above said land of 1.20 acres situated in S.No.650, Pallur village, Arakkonam Taluk, Vellore District.

For Petitioner : No appearance

For Respondents : Mr.R.Ravichandran, AGP for RR1  
to 3 & 5  
Mr.V.R.Appaswamee for R-4

#### ORDER

When the matter is called, today, there is no appearance on behalf of the petitioner. Heard the learned counsels, appearing on behalf of the respondents.

2 This writ petition has been filed by the petitioner, praying that this court may be pleased to issue a Writ of Mandamus to direct the second respondent to enter the names of the petitioners in the revenue records and to issue a joint patta in their names, in respect of 1.20 acres of the land, situated in S.No.650, Pallur Village, Arakkonam Taluk, Vellore District.

3 The petitioners have stated that the father of the petitioners 1 to 4, late Samuvel, was in occupation and enjoyment of the agricultural dry land, having an extent of 1.20 acres, in S.No.650, in Pallur Village, Arakkonam Taluk, Vellore District. The father of the petitioners 1 to 4 had died in the year, 1982. The fifth petitioner is the mother of the petitioners 1 to 4. After the death of the father of the petitioners 1 to 4, the revenue records had stood in the name of the fifth petitioner, the mother of the petitioners 1 to 4. While so, on 9.10.1998, a settlement deed of kooru-cheettu had been executed, whereby, the property had been shared among the petitioners, in equal shares. Thereafter, the petitioners had been in possession and enjoyment of their respective shares in the land. However, the respondents 1 to 4 had not entered the names of the petitioners in the revenue records, in spite of a number of representations having been made to them. In such circumstances, the petitioners have preferred the present writ petition before this Court, under Article 226 of the Constitution of India.

4 A counter affidavit has been filed on behalf of the second respondent, dated 27.4.2016, wherein it has been stated that the land in question, having an extent of 1.20 acres in S.No.650, in Pallur Village, is classified as "Government Thoppu Porambokku", in the revenue records of the official respondents. Further, the claim made by the petitioners that the land in question had been in their occupation and enjoyment, for a number of years, is incorrect.

5 In view of the averments made in the counter affidavit filed on behalf of the second respondent, the relief prayed for by the petitioners cannot be granted, since it is noted that the said land is entered as "Government Thoppu Porambokku" in the revenue records of the official respondents. It is also noted that the official respondents have denied the claim of the petitioners that they are in occupation and enjoyment of the land in question. No records have been filed by the petitioners to substantiate the said claim. Therefore, this Court is of the view that the present writ petition filed by the petitioners is devoid of merits. Hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,  
The State of Tamil Nadu,  
Vellore,  
Vellore District.
- 2.The Tahsildar,  
Arakkonam  
Vellore District.
- 3.The Block Development Officer (BD),  
Nemili,  
Nemili Taluk,  
Vellore District.
- 4.The Inspector of Police,  
Nemili Police Station,  
Nemili Taluk, Vellore District.

+1cc to the Government Pleader Sr.37465  
+1cc to Mr.V.R.Appaswamee, Advocate Sr.37703

W.P.No.12390 of 2016

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srg 18/07/2016