

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.4.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.15438 of 2016

C.Babu

... Petitioner

Vs.

The District Revenue Officer,  
Office of the District Collectorate,  
Krishnagiri District,  
Krishnagiri.

... Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to consider the representation of the petitioner dated 5.3.2016 to reclassify Anadeenam land as patta land in Survey No.896/B3 of Nallur Village, Sidanapally Revenue Village.

For Petitioner : Mr. G.M.Anantha Kumar  
For Respondent : Mrs.P.Rajalakshmi  
Govt. Advocate.

O R D E R

The petitioner has come forward with this Writ Petition seeking for a mandamus upon the respondent to consider the representation of the petitioner dated 5.3.2016 to reclassify Anadeenam land as patta land in Survey No.896/B3 of Nallur Village, Sidanapally Revenue Village.

2. According to the petitioner, the patta land bearing S.No.896 measuring larger extent of 9.80 acres of Nallur Village, Siddanapally Revenue Village originally belongs to the forefathers of the petitioner namely Nanjaiyah and Muniappa. Out of 9.80 acres, the petitioner's great Grandfather acquired half share which measures about 4.90 acres and subsequently a land in S.No.896 was inherited by Basappa Reddy and Ellappa Reddy who are the sons of Nanjappa Reddy. The said Ellappa reddy sold his share to an extent of 0.75 acres and the same is patta land and during UDR also patta was granted in the name of the occupants and the remaining land hold by Basapa Reddy to an extent of 1.70 acres is being enjoyed by the heirs of Basappa Reddy till date.

3. The father of the petitioner had executed a settlement deed to an extent of 0.88 cents in favour of the petitioner in DOC.No.17623 of 2014 dated 3.12.2014 on the file of the Sub Registrar, Hosur in Survey No.896 and immediately upon execution of settlement deed in favour of the petitioner, he applied for transfer of patta.

4. Later the petitioner was shocked to find that the land in Survey No.896 measuring extent of 0.69.5 Hectare was classified as Anadeenam during Re Survey and Re settlement and a new Sub Division in Survey No.896/B3 was formed and the whole extent was classified as Anadeenam. On information about the illegal classification of land as Anadeenam during UDR Scheme, the petitioner made a representation on 5.3.2016 before the respondents requesting to correct the revenue records in Survey No.896/B3, but the respondent has not taken any action on the said representation. Since no action was initiated by the respondent, the petitioner once again met the respondent in person and submitted his representation. But till date, the same is kept pending. Hence the petitioner has filed the present writ petition.

5. Learned counsel for the petitioner submitted that though this writ petition has been filed seeking for a larger relief, it would suffice if the representation of the petitioner dated 5.3.2016 would be considered and necessary orders be passed by the respondent within a time limit that may be fixed by this court.

6. In view of the above said submission, this Court, in the interest of justice, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 5.3.2016 by conducting an enquiry after affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to decide the matter purely on merits.

8. With the above direction, this Writ Petition is disposed of. No costs.  
msr

s/d-  
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

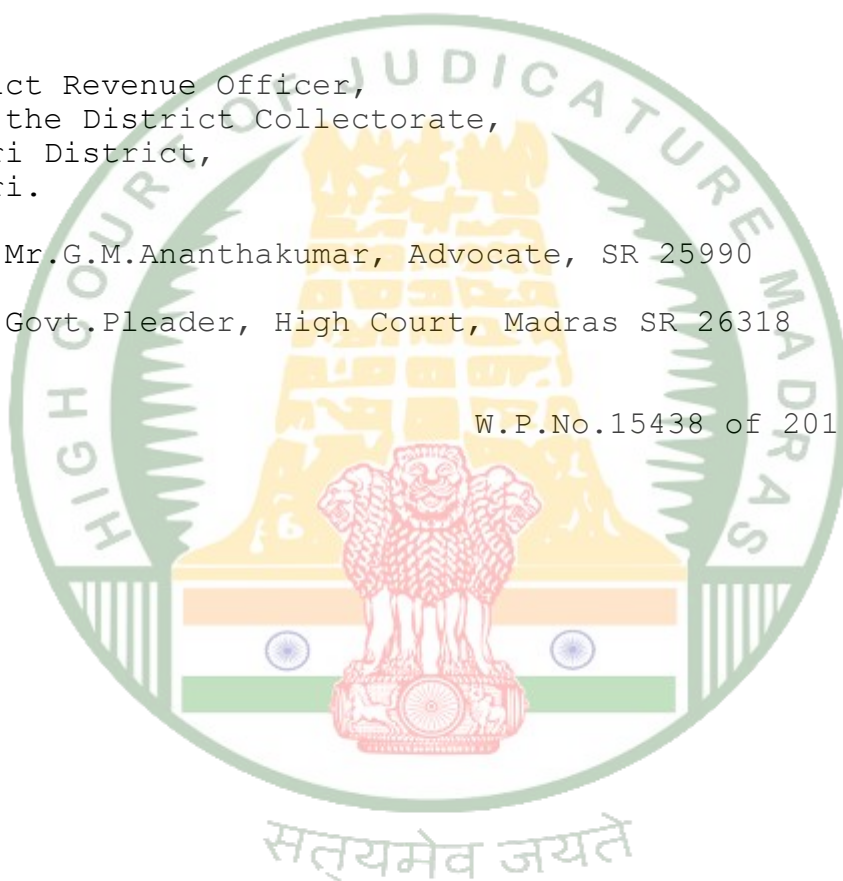
The District Revenue Officer,  
Office of the District Collectorate,  
Krishnagiri District,  
Krishnagiri.

+ 1 cc to Mr.G.M.Ananthakumar, Advocate, SR 25990

+ 1 cc to Govt.Pleader, High Court, Madras SR 26318

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W.P.No.15438 of 2016



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