

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 44067 of 2016

Thiyagaraj

... Petitioner

Vs.

1. The District Revenue Officer,
Collector Office,
Krishnagiri District.

2. The Sub Collector,
Sub Collector Office,
Hosur Krishnagiri District.

3. The Tahsildar,
Hosur Taluk Office,
Hosur 635 109,
Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 29.08.2016 for rectifying the error crept in, in respect of lands to an extent of 1.77.5 Hectares (4.38 Acres) comprised in Survey No.168 of Nandhimangalam Village, Hosur Taluk, Krishnagiri District within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr. R.S.Selvam
Govt. Advocate

O R D E R

Heard Mr.R.Bharath Kumar, learned counsel appearing for the petitioner and Mr.R.S.Selvam, learned Government Advocate appearing on behalf of the respondents.

2. By consent, the writ petition itself is taken up for final hearing, in view of the limited prayer.

3. The petitioner has come up with the present writ petition praying to direct the 1st respondent to consider the representation of the petitioner dated 29.08.2016 for rectifying the error crept in, in respect of lands to an extent of 1.77.5 Hectares (4.38 Acres) comprised in Survey No.168 of Nandhimangalam Village, Hosur Taluk, Krishnagiri District.

4. Learned counsel for the petitioner submitted that petitioner's mother purchased the subject property lands to an extent of 1.77.5 Hectares (4.38 Acres) comprised in Survey No.168 vide registered sale deed dated 30.07.1937 registered as Document No.1594/1937. The revenue records were also mutated in favour of the petitioner's mother viz., Mrs.Munivenkatamma. The petitioner approached the Nationalised Banks for availing loan, the bank instructed to obtain computerised patta for the said land. Accordingly, the petitioner approached the 3rd respondent for issue of computerised patta and after verifying the records, the respondent informed the petitioner that the revenue records in respect of 1.77.5 Hectares (4.38 Acres) comprised in Survey No.168 were wrongly classified during updating Resettlement Scheme (UDR) as Pormboke land (Meichal Tharai). The petitioner produced all the documents and explained the 3rd respondent that the petitioner land was wrongly classified as Poromboke land and a mistake is crept in, in the revenue records. Hence, the petitioner has come up with this writ petition for rectifying the error crept in, in the revenue records.

5. Learned Government Advocate submitted that if the said representation dated 29.08.2016 made by the petitioner is in order, the same would be considered by the respondents, in accordance with law.

6. Considering the facts and circumstances of the case, without expressing any opinion on merits, the second respondent is directed to consider the representation of the petitioner dated 29.08.2016, if it is otherwise in order, in accordance with law, by giving a reasonable opportunity to the parties concerned and pass appropriate orders as expeditiously as possible, not later than twelve weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of, on the above terms. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jv
To

1. The District Revenue Officer,
Collector Office,
Krishnagiri District.
2. The Sub Collector,
Sub Collector Office,
Hosur Krishnagiri District.
3. The Tahsildar,
Hosur Taluk Office,
Hosur 635 109,
Krishnagiri District.

+1cc to M/S.R.Bharathkumar, Advocate Sr.76253
+1cc to the Government Pleader SR.76265

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srg 23/01/2017

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