

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.44152 of 2016

Chikkamma

...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.
4. Nagaraj
5. Narayanappa

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 22.08.2016, for rectifying the error crept in the revenue records relating to the land, measuring an extent of 0.56.0 hectare, comprised in S.No.43/3 and 0.35.0 in S.No.43/6 of Alenatham Village, Hosur Taluk, Krishnagiri District within the time that may be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.P.V.Selvakumar
Addl. Government Pleader

O R D E R

With consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

2 The petitioner has come up with the present writ petition, praying for issuance of a writ of mandamus to direct the first respondent to consider her representation, dated 22.08.2016, for rectifying the error crept in the revenue records relating to the land, measuring an extent of 0.56.0 hectare, comprised in S.No.43/3 and 0.35.0 extent of land in S.No.43/6 of Alenatham Village, Hosur Taluk, Krishnagiri District within the time that may be stipulated by this Court.

3. The case of the petitioner, as stated in the supporting affidavit to this Writ Petition is that, the aforesaid property is an ancestral property and it was standing in the name of his father. After the death of the petitioner's father, the petitioner inherited the same, and in regard to the same, mutations were also carried out in the revenue records in the name of the petitioner. When the petitioner with an intent to develop the property approached the Nationalized Banks for the purpose of availing loan, he was asked to produce computerized patta with respect to the said property, which necessitated the petitioner to approach the third respondent/Tahsildar. The petitioner, to his shock, has been informed by the third respondent that, when the Scheme for Resettlement of the lands were updated, the aforesaid property was wrongly transferred in the name of the fourth and fifth respondents. Seeking rectification of the said error, the petitioner submitted a representation, dated 22.08.2016, to the first respondent/District Revenue Officer. In addition to that, the petitioner went in person with all relevant documents to prove his ownership over the afore said property. But, as on date, no steps have been taken by the first respondent to redress the grievance of the petitioner. Hence, the petitioner has approached this Court, by way of filing this Writ Petition, seeking for the relief, as stated above.

4. Heard Mr.R.Bharath Kumar, learned counsel for the petitioner and Mr.P.V.Selvakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

5. Since no adverse orders are passed against the fourth and fifth respondents, notice to the fourth and fifth respondents is dispensed with.

6. In the light of the above, there will be a direction to the first respondent to consider the petitioner's representation, dated 22.08.2016, made for rectification of the error crept in the revenue records, and pass orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned. The above direction be complied with, by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

avr

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 Mr.Bharath Kumar, Advocate, S.R.No.76250
+1cc to the Government Pleader, S.R.No. 76364

NRJ(CO)
RS(27/01/2017)

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