

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.5570 of 2016

R.Seethalakshmi

... Petitioner

vs.

1.The Special Commissioner and
Commissioner of Land
Administration,
Ezhilagam, Chennai-5.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

4.The Tahsildar,
Thiruporur Taluk,
Thirupurur.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to dispose of the representation of the petitioner dated 14.9.2015 seeking necessary changes in the revenue records by correctly classifying the land as patta land in respect of Survey No.41/4 and O.S.No.41/3 to an extent of 17.84 acres at Karunkuzhipallam Village, Thiruporur Taluk, Kancheepuram District, pursuant to the order of the first respondent dated 21.3.2007 vide proceedings No.RC/K1/3172/1996.

For Petitioner : Mr.Ravichandran Sundaresan

For Respondents: Mr.P.Sanjay Gandhi,
Addl. Govt. Pleader.

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for the issuance of writ of mandamus, directing the first respondent to dispose of her representation dated 14.9.2015 seeking necessary changes in the revenue records by correctly classifying the land as patta land in respect of Survey No.41/4 and O.S.No.41/3 to an extent of 17.84 acres at Karunkuzhipallam Village, Thiruporur Taluk, Kancheepuram District, pursuant to the order of the first respondent dated 21.3.2007 vide proceedings No.RC/K1/3172/1996.

3. It is the case of the petitioner that her husband late Radhakrishnan had purchased agricultural land measuring to an extent of 17.84 acres of punja land comprised in New Survey No.41/4 and Old Survey No.41/3 situated at Karunkuzhi Pallam Village, Thiruporur Taluk, Kancheepuram District through Court proceedings. The said land is a patta land, but, in the A Registrar and other revenue records, it was wrongly classified as Poromboke land. By the proceedings of the first respondent dated 21.3.2007 in No.RC/K1/3172/1996, the said land was declared as patta land. From the date of purchase, her husband was in exclusive possession and enjoyment of the said land by cultivating paddy. After the demise of her husband on 11.10.2013, the petitioner and her children have been in exclusive possession and enjoyment of the same by cultivating paddy. Since the said land was wrongly classified as Poromboke land, the petitioner could not get any agricultural loan or crop loan from the nationalised bank and other benefits extended by the State Government and the subsidies to raise crops. Therefore, the petitioner made a representation dated 14.9.2015 to the first respondent to make necessary changes in the revenue records by correctly classifying the land as patta land in respect of Survey No.41/4 and Old Survey No.41/3 measuring to an extent of 17.84 acres at Karunkuzhi Pallam Village, Thiruporur Taluk, Kancheepuram District, based on the proceedings of the first respondent dated 21.3.2007. But, the said representation was not considered so far. Hence, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court

directs the first respondent to conduct an enquiry on the representation of the petitioner dated 14.9.2015 by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, and pass / take appropriate orders / action on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Special Commissioner and
Commissioner of Land
Administration,
Ezhilagam, Chennai-5.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

4.The Tahsildar,
Thiruporur Taluk,
Thirupurur.

+1 cc to M/s.Ravichandran Sundaresan, Advocate, sr.9703

+1 cc to Government Pleader, sr.9967

W.P.No.5570 of 2016

rsk co

kra 01.03.2016