

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.6629 of 2016

Jayaraman

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Ponneri Division, Ponneri,
Thiruvallur District.

2.The Tahsildar,
Ponneri,
Thiruvallur District.

3.The Village Administrative Officer,
Ponneri,
Thiruvallur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to correct the revenue records from Nanjai Anathinam to Nanjai in Survey Nos.431/1A, 431/1B, 432/1, 432/2, 432/3 and 432/4 situated in Erisivan village, Chinnakavanam II, Ponneri Taluk and issue patta to the petitioner in accordance with law.

For Petitioner : Mr.T.K.S.Bharathy Anandraj

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to correct the revenue records from Nanjai Anathinam to Nanjai in Survey Nos.431/1A, 431/1B, 432/1, 432/2, 432/3 and 432/4 situated in Erisivan village, Chinnakavanam II, Ponneri Taluk and issue patta to the petitioner in accordance with law.

3. In the petition it is stated that the petitioner owned lands measuring, 1.31 acres in Survey No.431/1A, 0.60 acres in Survey No.431/1B, 0.50 acres in Survey No.432/1, 0.56 acres in Survey No.432/2, 0.27 acres in Survey No.432/3 and 0.97 acres in Survey No.432/4 in all totalling 2 acres 65 cents situated in Erisivan village, Chinnakavanam II, Ponneri Taluk and enquiry was also made by the Revenue Divisional Officer and report was also filed on 27.12.2010.

4. It is further stated that Revenue Divisional Officer, Ponneri has written a letter to Revenue Divisional Officer, Thiruvallur with regard to the details of enquiry conducted by him stating to change the revenue records as Nanjai from Nanjai Anathinam. Infact in SLR Extract Register Survey No.431/1A was given patta in the name of Sambantha Mudali, S.Manickammal and Sakunthalammal vide patta no.203 as Nanjai. Similarly, in respect of Survey No.432/1 patta was given in the name of Ramachandra Mudali as Nanjai and in respect of Survey No.432/2 patta was given in the name of Ganesa Mudali and patta was also given to some other persons.

5. It is further stated that the petitioner acquired the lands in Survey Nos.431/1A, 431/1B, 432/1, 432/2, 432/3 and 432/4 situated in Erisivan village, Chinnakavanam II, Ponneri Taluk, measuring an extent of 2 acres 65 cents through partition deed registered as document no.756 of 1979 dated 31.12.1978.

6. It is further stated that as per the Abolition and Conversion of Land into Ryotwari Act 1948, the Survey Nos.431/1A, 431/1B, 432/1, 432/2, 432/3 and 432/4 were created as inam Survey and in the year 1970, the then Government issued patta to all those who purchased and enjoyed on that day and later, the petitioner's ancestors bought the lands and as per the partition deed the said lands were allotted to the petitioner and it is further stated that in Grama Pasali, the Survey Nos.431/1A, 431/1B, 432/1, 432/2, 432/3 and 432/4 were wrongly mentioned as 'Nanjai Ananathinam.' In this regard, the petitioner gave representations since 2002 to correct the revenue records from Nanjai Anathinam to Nanjai, but the same has not yet been considered. Hence, this petition.

7. Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

8. Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court is constrained to pass the following order:

This Court directs the petitioner to give fresh representation to the first respondent along with a copy of this order and the first respondent on receipt of the same is

directed to consider the same and pass appropriate orders after affording opportunity of personal hearing to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

9.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1.The Revenue Divisional Officer,
Ponneri Division, Ponneri,
Thiruvallur District.
- 2.The Tahsildar,
Ponneri,
Thiruvallur District.
- 3.The Village Administrative Officer,
Ponneri,
Thiruvallur District.

+1cc to M/S.T.K.S.Bharathy Anandraj, Advocate, S.R.No.11676
+1cc to the Government Pleader, S.R.No.11737

W.P.No.6629 of 2016

ak(CO)
srg(08/03/2016)

WEB COPY