

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P. No. 6434 of 2017

C. Ravichandrappa

... Petitioner

Vs.

1. The District Revenue Officer,
Krishnagiri District.

2. The Sub Collector, Hosur,
Krishnagiri District.

3. The Tahsildar,
Taluk Office Soolagiri,
Soolagiri.

4. Mr. Lagumappa

5. Mr. Kari Ellappa

6. Mr. Kakki Muniappa

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 26.12.2016 for rectification of errors crept in the revenue records which were wrongly updated during UDR in respect of the lands to an extent of 2.61 acres out of 9.31 acres in Survey No. 412/4 and land measuring an extent of 9.93 acres comprised in Survey No. 412/3 of Sanamau Village, Soolagiri Taluk, Krishnagiri District and issue patta to the petitioner within the time to be stipulated by this Court.

For Petitioner :: Mr.R. Bharath Kumar

For Respondents:: Mr.S. Pattabiraman,
Govt. Advocate

O R D E R

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

2. Mr.S. Pattabiraman, learned Government Advocate accepts notice on behalf of the respondents.

3. The petitioner would aver that the lands measuring to an extent of 9.93 acres comprised in S.No. 412/3 and 9.31 acres in S.No. 412/4, totalling to an extent of 19.24 acres situated at Sanamau Village, Soolagiri Taluk, Krishnagiri District, originally belonged to the petitioner's grandfather, namely, Pethakariyan, who had purchased the same under a registered Sale Deed registered as Document No. 2766 of 1939 dated 09.11.1939 on the file of Sub Registrar, Hosur and ever since the date of purchase, he was in possession and enjoyment of the same and was also remitting the statutory levies and during his lifetime, the petitioner's grandfather had executed a registered settlement deed dated 12.01.1971 bearing Document No. 90 of 1971 in favour of the petitioner's mother settling the lands measuring to an extent of 6.70 acres out of 9.31 acres comprised in S.No. 412/4 and she was in possession and enjoyment of the same. During her lifetime, the mother of the petitioner had sold 4.10 acres out of 6.70 acres in S.No. 412/4 to third parties and was retaining the balance extent of land admeasuring to an extent of 2.61 acres in S.No. 412/4. According to the petitioner, in respect of the said lands, no encumbrance has been created so far. The petitioner would aver that when he had approached the 3rd respondent for computerised patta in respect of the said lands, he came to know that the lands measuring to an extent of 2.61 acres in Survey no. 412/4 and the lands measuring to an extent of 9.93 acres comprised in Survey No. 412/3 of Sanamau Village, Soolagiri Taluk, Krishnagiri District, have been subdivided by the Revenue Department and wrongly entered in the name of respondents 4 and 5 under Updating Registry Scheme (UDR) and the concerned persons have not been put on notice. The petitioner in this regard has submitted a representation dated 26.12.2016 to the respondents rsepondent for carrying out rectification/correction of the errors that had crept in the revenue records during the Updating Registry Scheme and since it is yet to be disposed of, came forward to file the present writ petition.

4. Heard the submissions of the learned counsel for the petitioner and Mr.S. Pattabiraman, learned Government Advocate for the respondents.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in the representation or in the affidavit filed in support of the above writ petition, directs the 1st

respondent to entertain the appeal petition/representation dated 26.12.2016, if the papers are otherwise in order and after putting respondents 4 to 6 on notice, shall consider and pass orders on the said appeal/representation, on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to respondents 4 to 6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nv
To

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

+1cc to the Government Pleader Sr.16729
+1cc to M/S.R.Bharath Kumar, Advocate Sr.16624

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srg 03/04/2017

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