

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Writ Petition No.2624 of 2017

Ellapa @ Lingappa

... Petitioner

vs.

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the first respondent to consider the petitioner's appeal dated 19.08.2016 for rectification of the mistakes crept in, in the computerized patta and chitta in respect of lands to an extent of 4.24 acres comprised in Survey No.757 of Mookondapalli Village, Hosur Taluk, Krishnagiri District within the stipulated time.

For Petitioner : Mr.R.Bharath Kumar  
For Respondents: Mr.P.V.Selvakumar,  
Additional Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the first respondent to consider his appeal dated 19.08.2016 for rectification of the mistakes crept in, in the computerized patta and chitta in respect of lands to an extent of 4.24 acres comprised in Survey No.757 of Mookondapalli Village, Hosur Taluk, Krishnagiri District.

2. According to the petitioner, the lands measuring an extent of 4.24 acres comprised in Survey No.757 of Mookondapalli Village, Hosur Taluk, Krishnagiri District, originally belonged to his great grandfather, Kullakadu. After the death of his great grandfather, the property was enjoyed by his father and

after the death of his father, the petitioner, his mother, his brother and sister are in possession and enjoyment of the same. He has further stated that the revenue records in respect of the lands in S.F.No.757 have been mutated and the petitioner has been issued with computerized patta and Chitta in respect of the said land vide Patta No.1756. However, while updating, an extent of 4.24 acres in Survey No.757 has been wrongly classified as Anadheenam, as evidenced by the Village 'A' register extract. Hence, the petitioner made a representation to the respondents on 19.12.2014, requesting them to rectify the wrong classification of the land and issue patta in his name. Though the same was forwarded to the Tahsildar vide proceedings dated 24.12.2014 for necessary enquiry and report, no action has been taken by the Tahsildar for conducting an enquiry.

3. Pursuant thereto, the petitioner sent further representations to the respondents in respect of his grievance. But, they were of no avail to him. Hence, he filed a Writ Petition in W.P.No.4455 of 2016 seeking to dispose of his representation and by an order dated 05.02.2016, this Court directed the 2nd respondent therein to dispose of the petitioner's representation and pass necessary orders within eight weeks. Subsequently, an enquiry was conducted and the 2nd respondent rejected the petitioner's application vide order dated 12.08.2016. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent on 19.08.2016. Though the 1st respondent issued summons calling upon the petitioner to appear for an enquiry on 07.10.2016, till date, no order is passed on his appeal. Hence, the petitioner is before this Court seeking a direction to consider his appeal dated 19.08.2016.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the 1st respondent herein to consider and dispose of the petitioner's appeal dated 19.08.2016 in accordance with law, after giving an opportunity of hearing to the parties concerned, preferably within a period of four months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-  
Asst.Registrar (CS II )

/true copy/

Sub Asst. Registrar

To:

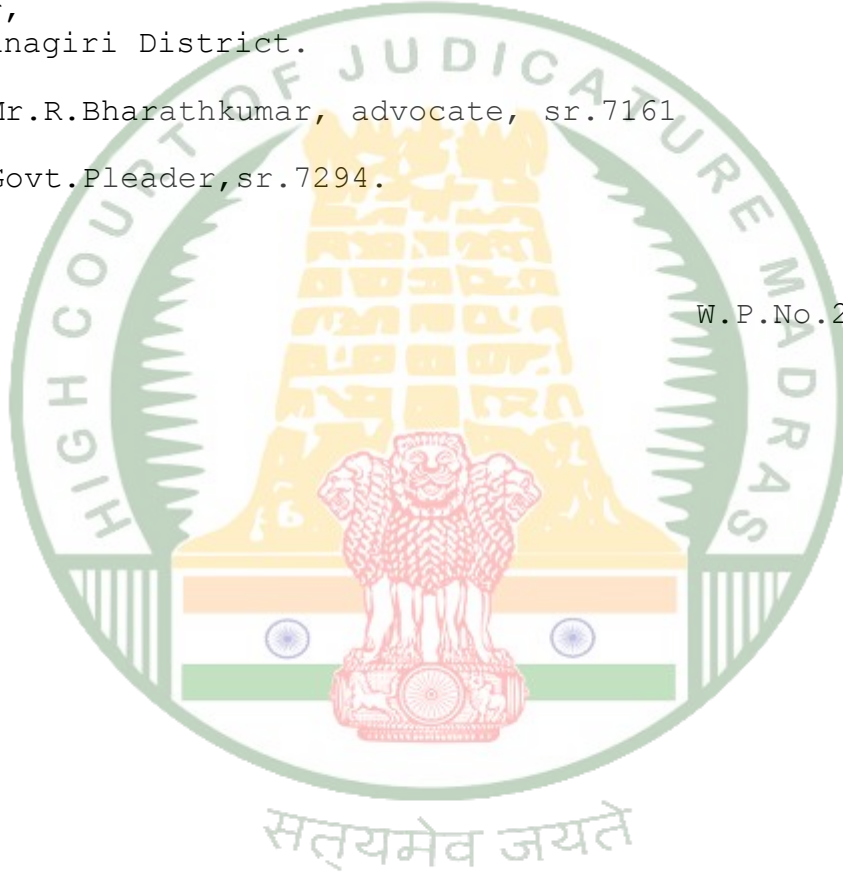
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+1 cc to Mr.R.Bharathkumar, advocate, sr.7161

+1 cc to Govt.Pleader,sr.7294.

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