

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.5281 of 2018

Srinivasan
S/o.Annaiya

.. Petitioner

Vs.

1.The District Revenue Officer
Krishnagiri District
Krishnagiri.

2.The Sub Collector / Revenue Divisional Officer
Office of Sub Collector
Hosur,
Krishnagiri District.

3.The Tahsildar
Hosur Taluk Office
Hosur, Krishnagiri District.

... Respondents

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 representations dated 26.06.2015 and 05.02.2018 for change of classification in respect of land to an extent of 74 cents in Survey No.238/3 and 75 cents in Survey No.314/4, Thorapalli Agraharam, Hosur Taluk, Krishnagiri District and issue Patta to the petitioner within the time.

For Petitioner : Mr.R.Bharathkumar
For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the first respondent to consider his representations dated 26.06.2015 and

05.02.2018, wherein and whereby he sought for change of classification in respect of land to an extent of 74 cents in Survey No.238/3 and 75 cents in Survey No.314/4, Thorapalli Agraharam, Hosur Taluk, Krishnagiri District and issue Patta to the petitioner.

3. It is claimed by the petitioner that the subject matter land belonged to his grand mother, who having purchased the same under the sale deed dated 22.04.1962. Therefore, the petitioner claims that the present classification of the subject land as "Anadheenam" is not factually correct and therefore, reclassification of the subject matter land has to be made as requested by the petitioner.

4. However, the learned Special Government Pleader, based on instructions, submitted that the land is a "Anadheenam" land and already the same was entrusted for constructing the Government Hospital and that the construction is also going on.

5. Therefore, it is evident that there is a title dispute in respect of the property as claimed by the petitioner. When such being the position, it is for the petitioner to work out his remedy before the competent Civil Court, by filing appropriate Civil Suit. Without doing so, seeking for reclassification of the subject matter land by way of representation is not a proper course of action. Accordingly, this writ petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, only by granting liberty to the petitioner to work out his remedy before the competent Civil Court. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mk

To

1.The District Revenue Officer
Krishnagiri District
Krishnagiri.

2.The Sub Collector / Revenue Divisional Officer
Office of Sub Collector
Hosur,
Krishnagiri District.

3.The Tahsildar
Hosur Taluk Office
Hosur, Krishnagiri District.

+1cc to Mr.R.Bharathkumar, Advocate, S.R.No.18575
+1cc to the Government Pleader, S.R.No.18492

W.P.No.5281 of 2018

CS/26/03/18



WEB COPY