

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15929 of 2018 and
W.M.P.No.18928 of 2018

N.Kuppuswamy

... Petitioner

Vs.

1.The Assistant Director,
Land Survey Records Department,
Vellore - 632 004.

2.The District Revenue Officer,
Collector Office, Sathuvacheri,
Vellore - 632 004.

3.The Revenue Divisional Officer,
Collector Office,
Sathuvacheri, Vellore - 632 004.

4.G.Pannerselvam

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 3rd respondent to cancel and rectify the classification of land as poromboke of sub-division 51 in Survey No.330 Brammapuram Village and consequently, issue patta to the petitioner in respect of the property in Survey No.330/51, Brammapuram Village.

For Petitioner : Mr.S.S.Swaminathan

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Government Pleader (R1 to R3)

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O R D E R

The petitioner seeks a direction to the 3rd respondent to cancel and rectify the classification of land as poromboke of sub-division 51 in Survey No.330 Brammapuram Village and consequently, issue patta to the petitioner in respect of the property in Survey No.330/51, Brammapuram Village.

2.The petitioner is residing at Brammapuram Village in Survey No.330/6 and the present Survey Number after sub-division is Survey Nos.330/47, 48, 49 & 51. The land in sub-division No.51 on the Eastern side is left vacant by the petitioner for his own use. The 4th respondent's father used the said vacant land for accessing his property and the petitioner had objected to the same even in the year 2002 and had also given a police complaint. The petitioner had also given a representation to the 1st respondent on 03.03.2003 and a recommendation has been made on 30.06.2003 to the 3rd respondent for issuance of joint patta. As the recommendation wrongly mentioned sub-division No.51 as poromboke, the petitioner made a petition on 20.08.2003 to the 3rd respondent, objecting to the recommendation made by the 1st respondent and pleaded to rectify the classification. But till date no action has been taken. Therefore, the petitioner has come to this Court.

3.The learned counsel appearing for the petitioner submitted that the petitioner is aged about 88 years and is a retired Army Personnel and if a direction is issued to the 3rd respondent to consider the case of the petitioner, after giving notice to all necessary parties, on the basis of the recommendation of the 1st respondent that would be suffice.

4.The learned Special Government Pleader taking notice for the respondents 1 to 3 submitted that the 3rd respondent may be directed to consider the petitioner's representation in the light of the recommendation of the 1st respondent dated 30.06.2003.

5.In view of the above, considering the limited prayer sought for by the learned counsel for the petitioner, without going into the merits of the matter, the Writ Petition is disposed of with a direction to the 3rd respondent to consider the petitioner's representation in the light of the recommendation of the 1st respondent, after giving notice to all the necessary parties, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

va

To

1.The Assistant Director,
Land Survey Records Department,
Vellore - 632 004.

2.The District Revenue Officer,
Collector Office, Sathuvacheri,
Vellore - 632 004.

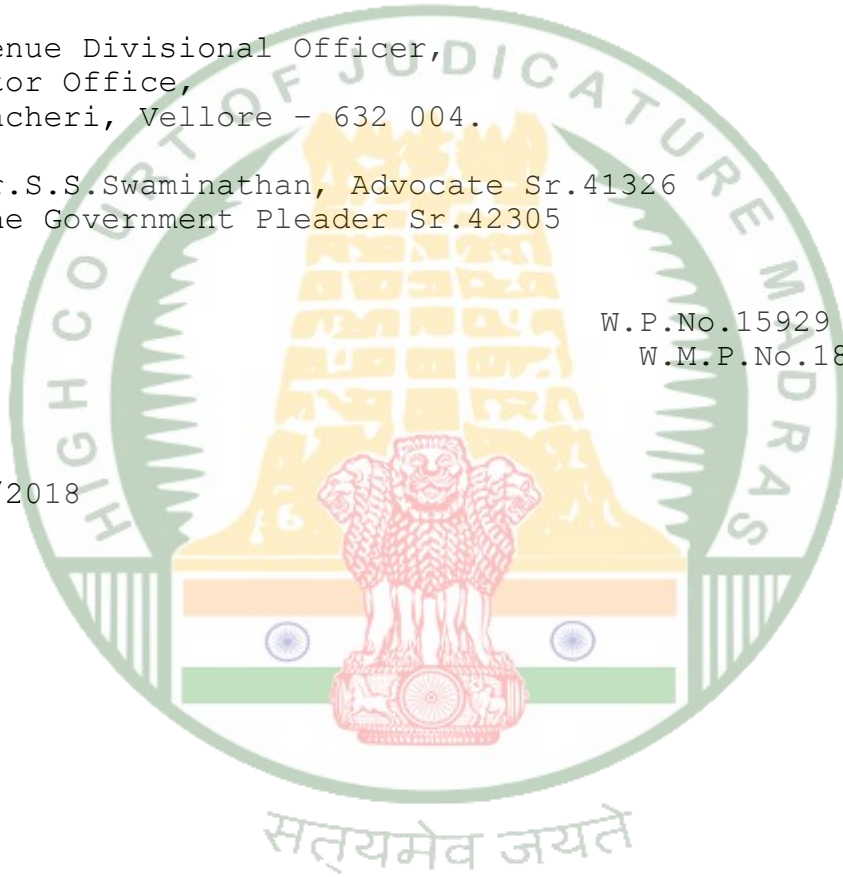
3.The Revenue Divisional Officer,
Collector Office,
Sathuvacheri, Vellore - 632 004.

+lcc to Mr.S.S.Swaminathan, Advocate Sr.41326

+lcc to the Government Pleader Sr.42305

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srg 11/07/2018



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