



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.10.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.23554 of 2018
& W.M.P.Nos.27506 & 27507 of 2018

Mrs.Shameem Begum,
W/o.Dr.K.S.A.Raheem,
Plot owner No.5, Rajaji Nagar,
Kattikanapalli Village,
Narashimaswamy Koil Street,
Oldpet, Krishnagiri - 635 002
Residing at:-
No.12, LurthuPillay Colony,
3rd Cross Street,
Kajamalai, Trichy - 620 023. ... Petitioner

/versus/

1. The Secretary to T.N.Government,
Revenue Department,
Fort St.George,
Chennai - 600 009.
2. The Collector,
District of Krishnagiri,
3. The District Revenue Officer,
Krishnagiri District.
4. The Revenue Divisional Officer,
Krishnagiri District.
5. The Tahsildar,
Krishnagiri.
6. Alia Begum,
W/o.S.A.K.Azad,
Plot owner at No.6,
Kattikanapalli Village,
Narasimaswamy Koil Street,
Krishnagiri - 635 002.
Now residing at:-
No.1/216-1, Kattikanapalli Village,
Rajaji Nagar, Krishnagiri.
7. P.Amuda,

W/o.Saravanan,
Plot owner at No.6,
Kathikanapalli Village,
Narashimaswamy Koil Street,
Old, Krishnagiri - 635 002.
Now residing at:
No.399/160, PVT Colony, Krishnagiri.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Orders in proceedings in (1) e.f46010/2007/N[2, dated 10.03.2008 in Patta No.869/2007 and (2) x.K.854/2017/N[1, dated 03.04.2017, served on the petitioner on 24.11.2017, through the Right to Information Act, sent by the respondents 2 to 5, are liable to be quashed and direct the respondents 1 to 5, to reissue the Original Separate Patta to the petitioner at Plot No5, Rajaji Nagar, Kattikanapalli Village, consisting of 2400 sq.ft., vacant land plot, old joint Patta No.793, dated 09.09.1985 in Survey No.43/4G, Narshimaswamy Koil Street, Oldpet, Krishnagiri - 635 002 and pass order or any further orders, including the legal costs, from 09.09.1985 to till date.

For Petitioner : Mr.R.W.H.Ghyaz Ahmed
For R1 to R5 : Mr.N.Inbanathan,
Additional Government Pleader
For R6 : Mr.K.Venkatasabban
For R7 : No appearance

ORDER

Heard the Learned Counsel for the Petitioner and the Learned Counsel for the Respondents.

2. The petitioner herein seeks Patta for the land which he has purchased in S.No.43/4G, Narishmaswamy Koil Street, Krishnagiri, whereas, the respondents, after causing notice to the parties has disposed of his application seeking Patta vide proceedings dated 03.04.2017, wherein, it has been observed that the subject property in S.No.43/4G, measuring 2400 sq.ft has been transferred in the name of P.Amudha W/o.Saravanan and A.Alia Begum W/o.S.A.K.Azad. Pursuant to the proceedings of the District Revenue Officer, Krishnagiri dated 30.10.2003, since joint patta has been issued in their name vide proceedings dated 10.03.2008, the petitioner cannot seek patta for the very same land.

3. Aggrieved by the impugned order, the present Writ Petition is filed. However, in the counter, it has been stated by the respondents that the petitioner has purchased plot in S.No.43/4G, measuring 2400 sq.ft, whereas, the plot in S.F.No.43/4G 1, measuring 2400 sq.ft belongs to respondents 6 & 7. The petitioner, without ascertaining the boundaries of her plot and the survey numbers, which has been sub-divided, has sought for issuance of patta. Hence, after enquiry ascertaining that the petitioner is not owner of the entire S.No.43/4G, the request of the petitioner was rejected by the order of the District Revenue Officer, which is impugned.

4. The specific case of the respondents is that, the plot No.5 with S.No.43/4G 1 was assigned to the petitioner. He claims patta for undivided S.No.43/4G for which, he doesn't have right or title.

5. As pointed out by the respondents, the petitioner is not certain about the boundaries and survey numbers of her land. If she makes appropriate application with proper survey number with all particulars, same shall be considered by the respondents.

6. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bsm

To,

1. The Secretary to T.N.Government,
Revenue Department, सतयमेव जयते
Fort St.George, Chennai - 600 009.

2. The Collector, District of Krishnagiri,

3. The District Revenue Officer, Krishnagiri District.

4. The Revenue Divisional Officer, Krishnagiri District.

5. The Tahsildar, Krishnagiri.

+1cc to Mr.R.W.H.Ghyaz Ahmed, Advocate SR.No. 85775

+1 cc to Government Pleader Sr.No. 85614

W.P.No.23554 of 2018

A.SK(06/11/2019)