



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.07.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.2251 of 2020

K.Sivakumar

...Petitioner

Vs

1.The Principal Secretary and Commissioner of
Land Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
District Revenue Office,
Sivagangai.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue a computer patta of the petitioner's land in S.No.24/4, 24/5 of an extent of 4 Acre 58 cents situated at Alangulam Group, Sivagangai Taluk, on the basis of the order passed by the 1st respondent in Lr.No.K1/34360/2013 dated 04.02.2014, subsequent proceedings of the 2nd respondent in Na.Ka.C3/35641/2014 dated 03.07.2014, 3rd respondent proceedings in Na.Ka.P8/907/2016 dated ...08.2016 and the petitioner's representation dated 15.11.2019.

For Petitioner : Mr.C.Ezzhilarasu

For Respondents : Mr.V.Anand
Government Advocate

ORDER

This writ petition is filed to direct the respondents to issue a computer patta to the petitioner's land in S.Nos.24/4, 24/5 measuring to an extent of 4 Acre 58 cents situated at Alangulam Group, Sivagangai Taluk.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. According to the petitioner, after the demise of his grandfather, namely, Veeraiah Konar, he is in possession and enjoyment of the property in S.Nos.24/4 and 24/5 measuring to an extent of 4 Acre 58 cents situated at Alangulam Group, Sivagangai Taluk, Sivagangai District. But, in the revenue records, the aforesaid property has been wrongly classified as "Vaikal Poramboke". Hence, the petitioner has approached the respondent authorities to rectify the above mistake.

4. Despite directions were issued by the 2nd respondent dated 03.07.2014, the 3rd respondent had not come forward to rectify the above mistake in the revenue records. In the proceedings of the 1st respondent dated 04.02.2014, it is mentioned that the 2nd respondent had stated that except the channel portion of the aforesaid property, the remaining area was levelled on ground. Further, the 2nd respondent was also informed that in such cases, the request of the petitioner may be considered only under RSO 15 subject to the rules in force.

5. From the proceedings of the 3rd respondent in Na.Ka.B.No.8/907/2016, it is seen that the 3rd respondent had issued certain directions to the Zonal Deputy Tahsildar, Sivagangai District, in connection with the mutation of the revenue records, insofar as the petitioner is concerned and accordingly, the revenue records have been corrected. Under such circumstances, the petitioner made a representation dated 15.11.2019 to the 3rd respondent to issue a computer patta for his land in S.Nos.24/4 and 24/5 measuring to an extent of 4 Acre 58 cents situated at Alangulam Group, Sivagangai Taluk. But, so far no action has been taken. Hence, the present writ petition.

6. The learned Government Advocate appearing for the respondents would submit that by taking note of the proceedings of the 2nd respondent dated 03.07.2014 and the proceedings of the 1st respondent dated 04.02.2014, the petitioner's representation dated 15.11.2019 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. In view of the submissions made on either side, this Court is inclined to pass the following direction:-

The 3rd respondent is directed to consider the petitioner's representation dated 15.11.2019 and pass appropriate orders, by taking note of the proceedings of the 2nd respondent dated 03.07.2014 and the proceedings of the 1st respondent dated 04.02.2014, within a period of 12 weeks from the date of receipt of this order, after affording due opportunity of



hearing to the petitioner and the interested parties, if necessary. The petitioner is directed to enclose a copy of this order along with such representation to the 3rd respondent, though he has not filed any acknowledgment for having sent such representation to the 3rd respondent.

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8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

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Land Administration,
Ezhilagam,
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2. The District Revenue Officer,
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