

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.10415 of 2020

Mrs.A.Aysha Beevi

...Petitioner

-Vs-

1.The District Collector,
Chennai District,
No.62, Rajaji Salai, Chennai-600 001

2.The District Revenue Officer,
Office of the Chennai Collector,
62, Rajaji Salai, Chennai-600 001

3.The Revenue Divisional Officer,
North Chennai,
472, Thiruvottivur High Road,
Tondairpet,
Chennai-600 081.

4.The Tahsildar,
Perambur,
No.2, Perambur High Road,
Shanthi Nagar, Desia Colony,
Perambur,
Chennai-600 011.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to rectify the error in classification of the said property as "Road" and to sub divide T.S.No.29 and issue the sub division patta in favour of the petitioner, by virtue of powers conferred under the Tamil Nadu Survey and Boundaries Act, 1923 and Government instructions in the matter and impose heavy cost on the respondents for the inordinate and undue delay in the matter.

For Petitioner : Mr.K.S.Govind Prasad

For Respondents : Mr.S.N.Parthasarathi, GA

ORDER

The petitioner has approached the District Collector, the first respondent herein seeking for re-classification of the property comprised in T.S.No.29. According to her, her property was originally registered in her name in the Revenue records, which is now suddenly reclassified as ''Road''.

2.Heard both sides.

3.The learned counsel for the petitioner submits that the petitioner has rushed to the revenue authorities and the RDO has forwarded a recommendation dated 08.04.2019 indicating the error crept in the classification and that what the District Collector now needs to do is only to complete the process by acting on the recommendation of the RDO.

4.Mr.S.N.Parthasarathi, learned Government Advocate takes notice for the respondents and made a statement on instructions that a formal enquiry is scheduled to take place on 12.03.2021 at 11 a.m at the Office of the District Collector/ the first respondent herein.

5.The said statement of the learned Government Advocate is recorded.

6.Since the enquiry is already fixed, no further direction is required to be made except that the first respondent is directed to issue notice to all the parties who are likely to be affected by his decision and after providing the parties a fair and effective hearing, to dispose of the matter through a speaking order within a period of four (4) weeks from the date of service of order copy, subject to such time that may be lost in responsibilities connected with the ensuing General Election of the Tamil Nadu State Legislative Assembly, 2021.

7.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dn

To

1.The District Collector,
Chennai District,
No.62, Rajaji Salai, Chennai-600 001

2.The District Revenue Officer,
Office of the Chennai Collector,
62, Rajaji Salai, Chennai-600 001

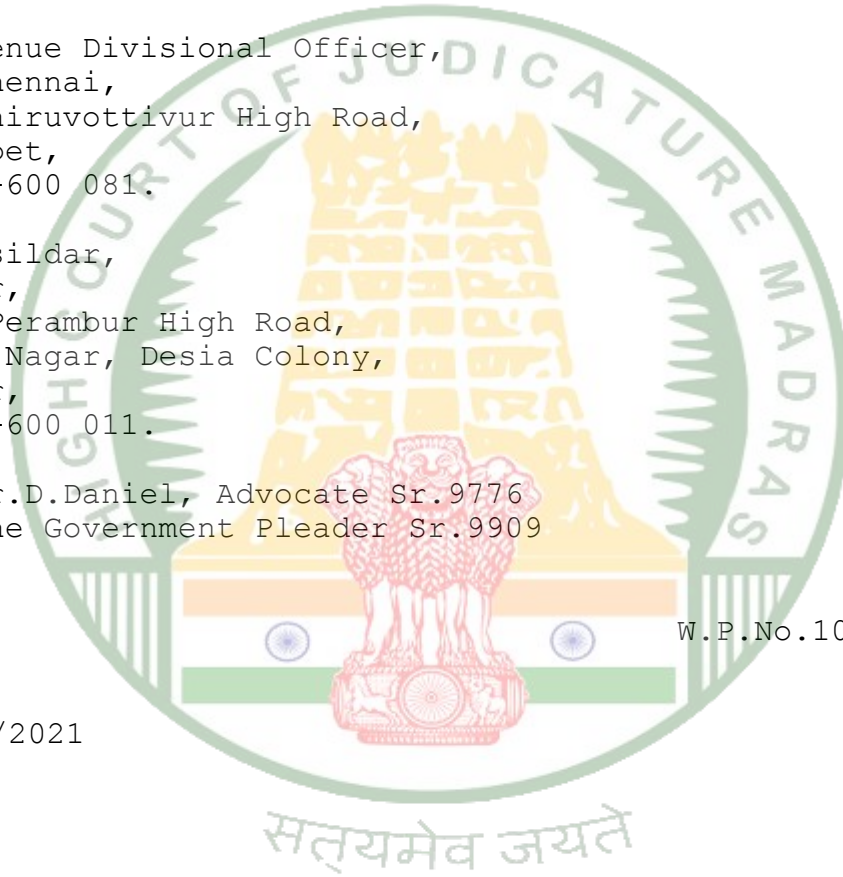
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Perambur,
Chennai-600 011.

+2cc to Mr.D.Daniel, Advocate Sr.9776
+1cc to the Government Pleader Sr.9909

W.P.No.10415 of 2020

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srg 09/03/2021



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