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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 29.10.2021

PRONOUNCED ON : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.33006 & 42340 of 2016, 12570 of 2017 and 28245 of 2018
W.M.P.Nos.28519 & 36244 of 2016, 13342 of 2017

W.P.No.33006 of 2016 :-

1. Sundaram
2. S.Lakshmi
3. S.Gopi
4. S.Kala
5. S.Sujatha
6. S.Priya
7. J.Kannammal
8. J.Suresh
9. J.Kalpana
10. J.Govindaraj

... Petitioners

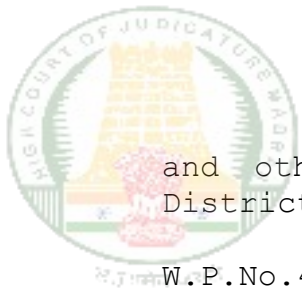
-Vs-

1. The Additional Chief Secretary and
Commissioner of Land Administration,
Chepauk, Madras - 600 005.

2. The Director of Survey and Settlement,
Chepauk,
Madras - 600 005.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the first respondent in order No.R.Dis.K1/WRS49/2015 (1995/2015) dated 21.06.2016 and quash them as illegal, incompetent and unconstitutional and further decree to the respondents to issue patta to the petitioners in respect to the land in Survey No.3/1



and others in Madharpakkam Village, Gumidipondi, Thiruvallur District.

W.P.No.42340 of 2016 :-

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1. Sundaram
2. S.Lakshmi
3. S.Venkatesh
4. S.Gopi
5. S.Kala
6. S.Sujatha
7. S.priya
8. J.Kannammal
9. J.Suresh
10. J.Kalpana
11. J.Govindaraj

... Petitioners

-Vs-

1. The Assistant Settlement Officer (North)
The Commissioner of Land Survey and
Settlement House,
Chepauk, Madras - 600 005.

2. The Tahsildar,
Ponneri Taluk,
Thiruvallur District

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the first respondent in order No.Na.Ka.E.1/274/14 dated 16.09.2016 and quash the same as illegal, incompetent and unconstitutional and further decree to the respondents to issue patta to the petitioners in respect to the land in survey No.157, ad measuring 18.90 acres in Thatchur Village, Ponneri Taluk, Thiruvallur District.

W.P.No.12570 of 2017 :-

1. Sundaram
2. S.Lakshmi
3. S.Gopi
4. S.Kala
5. S.Sujatha
6. S.Priya
7. J.Kannammal
8. J.Suresh



9.J.Kalpana
10.J.Govindaraj

... Petitioners

-Vs-

1. The Revenue Secretary,
Revenue Department,
Government of Tamil Nadu,
Chennai - 600 009.

2. The Additional Chief Secretary and
Commissioner of Land Administration,
Chepauk, Madras - 600 005.

3. The Director of Survey and Settlement,
Chepauk, Madras - 600 005.

4. The Land Commissioner,
Land and Survey Settlement Office,
Ezhilagam.

5. The District Collector,
Thiruvallur.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records on the file of the first respondent in Government Order No.264 dated 23.05.2008 and quash the same as illegal, incompetent and unconstitutional.

W.P.No.28245 of 2018 :-

1. S.Ashokan
2. S.Haridoss
3. K.Banumathi
4. R.K.Yesudasan

... Petitioners

-Vs-

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2. The Principal Commissioner and
The Commissioner for Land Administration,
Chepauk, Chennai - 600 005.



3. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

4. The District Revenue Officer,
Kancheepuram - 631 501.

5. The Revenue Divisional officer,
Chengalpet - 603 001.

6. The Tahsildar,
Tirupporur Taluk,
Tirupporur - 603 110
Kancheepuram District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to grant patta on the basis of the report dated 06.08.2013 in his Rc.No.4146/2013-B, made by the fourth respondent to the third respondent in the name of the petitioners over the properties, as described in the schedule annexed to the Writ Petition, in respect to the lands in Survey No.84/15 in No.35, Kanathur Reddikuppam Village, Tirupporur Taluk, Kancheepuram District, within a time frame as may be fixed by this Court.

For Petitioners
in W.P.Nos.33006,
42340 of 2016 &
12570 of 2017 : Mr.V.Raghavachari

in W.P.No.28245
of 2018 : Mr.S.Subbiah, Senior Counsel
For Mr.Elizabeth Ravi.

For Respondents
in all WPs. : Mr.Richarson Wilson
Government Advocate.

COMMON ORDER

These Writ Petitions have been filed to quash (i) the order No.R.Dis.K1/WRS49/2015 (1995/2015) dated 21.06.2016, (ii) the order No.Na.Ka.E.1/274/14 dated 16.09.2016, (iii) Government Order No.264 dated 23.05.2008 respectively and also to direct the respondents to issue patta in favour of the petitioners in respect of the subject lands.



W.P.No.28245 of 2018

2. The case of the petitioners is that the lands comprised in survey Nos.84/52, 53, 57 to 61 situated in village No.35, Kanathur Reddikuppam, Kancheepuram District, originally stood in the name of one Natesan Naicker, upon the payment of Melwaram. Thereafter all the above lands were clubbed together and they were brought within one field in Survey No.84/15. However, the lands in the Village had been taken over under the provisions of the Tamil Nadu Estate Abolition and Conversion into Ryotwari Act No.26 of 1948 (herein after called as "the 1948 Act").

2.1. After the lands vested with the government, for the purpose of distribution of the lands and for the grant of Roytwari patta, notices were sent to the land holders. It is also noticed that the name of the said Natesan Naicker was rounded off and the said land was classified as "Anatheenam", to an extent of 1 acres 5 cents. Nevertheless, the said lands are continued to be in possession and enjoyment of the said Natesan Naicker. He laid out the said lands and divided into house plots and those plots were also sold out to various persons by the registered sale deed. The petitioners have purchased their respective plots and they are in possession and enjoyment of the same and they build up their residential houses and all the houses are assessed to property tax and other revenue dues.

2.2. In order to regularize the possession and enjoyment of the said land, the petitioners are entitled to apply for patta under G.O.Ms.No.1312 Revenue Department dated 26.10.1967 and G.O.Ms.No.1300, Revenue Department dated 30.04.1971. When the petitioners approached the sixth respondent viz., Tahsildar for sub-division and for issuance of patta, they were informed that the lands had been classified as Anatheenam in the revenue records and as such the sixth respondent has no power either for sub-division or for issuance of separate patta. Since, the office of the Settlement Officer and the Assistant Settlement Officer have been abolished, the petitioners approached the government for consideration of their request.

2.3. The Principal Secretary and the Director of Land Survey and Land Tax by the communication dated 24.03.2008, requested the second respondent to consider the petitioners' request. In turn, the second respondent called upon the fourth respondent to offer his remarks for which, the fourth respondent had sent report along with the inspection report of the sixth respondent. Again the petitioners approached the second respondent for issuance of patta, in turn the second respondent



requested the third respondent to send detailed report. Again the sixth respondent conducted enquiry and recommended for issuance of patta and on the basis of the same, the second respondent also recommended for issuance of patta by his report dated 05.08.2013. Accordingly, the request of the petitioners are pending for the past nine years and despite the fact that the second respondent called for reports from the third respondent twice, the petitioners' request were not considered even till today. In fact, the petitioners have already been filed Writ Petition in W.P.No.26719 of 2016 and this Court by an order dated 15.12.2016, directed the respondents to consider their representation and pass orders on merits and in accordance with law. However, no order has been passed as directed by this Court. Therefore, the petitioners filed this Writ Petition with the above said prayer.

W.P.No.33006 of 2016 :-

3. The case of the petitioners is that they are the descendants of the Zamindar of Solagiri in Hosur Taluk, Salem District. They owned property located at Matharpakkam Village, Gumudipoondi Village, Thiruvallur District. Originally, the Kalakasthi Zamin Estates now in Andhra Pradesh which was in Chengalpet District. Kachinad consists of 207 villages, of which 22 villages were under the tenure grants. In the middle of 19th century, the Zamindar suffered huge debts around the year 1899, the estate was taken over by the Court of wards. The Zamin was in deep debts to a tune of Rs.35,00,000/-. No money was available with the treasury. The Zamindar of Kalahasthi was secured a sum of Rs.8.5 lakhs from the Tirumal Tirupathi Devasthanam (hereinafter called as "the TTD") through simple mortgage of the property situated in Kachinad Taluk. The debts were not discharged and a suit was filed in O.S.No.40 of 1910 and on the strength of the decree, the property was brought for auction sale. The TTD purchased 191 villages for Rs.18,47,491/- and a few were purchased by Rama Nayagar and subsequently it was sold to TTD in the year 1915, through registered sale deed. Accordingly, the revenue register includes the name of the purchaser as well as the subsequent purchasers.

3.1. The petitioners' predecessors have purchased the Madharpakkam Village. The Madras Government abolished the intermediaries under the 1948 Act, and the patta lands were converted as "Anadheenam". The conversion had been taken place without serving notice to the original owners. However, the petitioners and their predecessors are continued in possession and enjoyment of the subject property. When the land was already assessed and cultivated, it cannot be re-classified as



"Anadheenam". The ownership of the land is not lost on account of the abolition proceedings. A wrong classification in the revenue register would not take away the title to the property. Therefore, the petitioners sought for issuance of patta and the respondents denied the request of the petitioners on the ground that the original documents have not been produced and the genealogy has not been established. Therefore, the petitioners had filed a revision before the first respondent, as against the order passed by the second respondent. This Court also directed the first respondent in W.P.No.23197 of 2015 to consider the matter afresh and not deny the rights vested with the petitioners solely on the ground of delay. Without considering the direction issued by this Court, the first respondent by an order dated 21.06.2016 dismissed the revision for the reason that the subject land was classified as government un-assessed waste and poramboke. Aggrieved by the said order, the petitioners filed this present Writ Petition.

W.P.No.42340 of 2016 :-

4. The petitioners in this Writ Petition challenged the order passed by the first respondent dated 16.09.2016. In furtherance to the facts stated in the Writ Petition in W.P.No.33006 of 2016, the petitioners predecessors have purchased the property situated at Thatchur Village, as per the document No.92/1902. It is clear that the property released in favour of Kali Venkataswamy Reddi and Kachinad Taluk purchased by Venkataswami Reddi in document No.155 & 156/1909 shows that the name of the predecessors as owners. The sale certificate issued in favour of Kalahasthi Zamin in O.S.No.40 of 1910 has also been affirmed in O.S.No.325 of 1914. The patta also issued in Patta No.111 and Patta No.1.

4.1. One Chenga Reddy purchased the land including the disputed villages vide Court auction and the same was also confirmed in O.S.No.450 & 674 of 1918. The Thachur Village falls under the tenures of Kachinad Taluk. The said Chenga Reddy has been recognized as original owner and also having Melwaram and Kudiwaram rights over the said lands. The first respondent viz., the Assistant Settlement Officer has stated in his proceedings dated 25.09.1951, that Kachinad Taluk falls under the TTD and the said Chenga Reddy is the absolute owner of the property in S.No.157 ad measuring 18.90 acres. The notification of abolition of estates in G.O.Ms.No.3157 dated 09.12.1950 and G.O.Ms.3143 dated 26.08.1958 included Tatchur Village vide gazette notification dated 26.11.1958. Therefore, the entires in the revenue has no impact on the title. The petitioners are the legal heirs of the original owners. As per G.O.Ms.No.714 dated 20.08.1987, the petitioners approached authorities for grant of



patta. Since the issue of limitation has no relevance, it follows title. The said request was forwarded by the first respondent to the second respondent to conduct enquiry and pass orders on merits.

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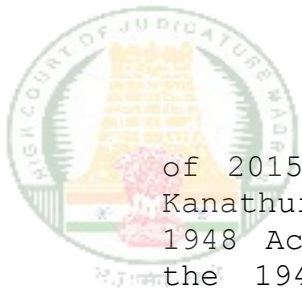
4.2. The petitioners already filed a Writ Petition in W.P.No.5643 of 2015 and this Court by an order dated 03.03.2015, directed the second respondent to consider the representation of the petitioners. Since the question involved did not fall within the domain of the second respondent, the said authority referred the enquiry to be conducted by the first respondent as the competent authority to adjudicate on the issue. Again the petitioners were constrained to approach this Court in W.P.No.36654 of 2015 for direction, directing the first respondent to consider their request on merits. However, the first respondent passed order impugned in this Writ Petition dated 16.09.2016 and rejected the request of the petitioners.

W.P.No.12570 of 2017:-

5. Some of the petitioners in the above two Writ Petitions in W.P.Nos.33006 & 42340 of 2016 filed this Writ Petition challenging the Government Order in G.O.No.264 dated 23.05.2008, thereby classifying the Mannallur and Surapondi Villages as Poramboke and have decided to allot the lands to private entities reclassifying it as Special Economic Zone. Further the case of the petitioners is that the title of the said land belongs to the petitioners, and the private property cannot be classified as Government un-assessed waste and poramboke. The petitioners have never alienated the property and the ownership of the property is also not lost on account of the abolition proceedings as long as the royti continues to be in occupation. The petitioners are the purchaser of the estate in an auction held and as long as the so called estate remains in the hands of the intermediary in some capacity, the Government could take over the lands. The very fact it continues with the petitioners proves their right.

5.1. By the impugned Government Order, the first respondent had sought to give away the petitioners' holding for development of an industrial estates or for a private institution. Apart from that, the housing colonies are also sought to be developed. However, the petitioners are in possession and enjoyment of their respective property without any interference. Therefore, they sought for the quashment of the said Government Order.

6. Per contra, the third respondent in W.P.No.28245



of 2015 filed counter and it revealed that the estate village Kanathur Reddikuppam was taken over under the provisions of the 1948 Act and ryots were granted patta under the provisions of the 1948 Act during the fasili 1365. The lands in paimosh Nos.52, 53, 57 to 61 were clubbed and random based as S.No.84/15 and classified as Dry Anadeenam. The erstwhile owners of the land did not claim any proper patta as per the provisions under Section 11(a) of the 1948 Act. Therefore, the afore said lands were classified as "Dry Anadeenam". Even after the settlement proceedings were completed, the government gave time limit to the land holders to apply for the grant of patta from time to time finally extended upto 20.08.1987 as per G.O.Ms.No.714 dated 29.06.1987. Though the petitioners have purchased the land in the year 1984, neither they nor their predicators in title did not claim any grant of patta.

6.1. It is further stated that in order to facilitate the royts and the land holders who could not apply for ryotwari patta in time under the provision of the 1948 Act, the government issued order in G.O.Ms.No.1300 Revenue Department, dated 30.04.1971 to apply before the Revenue authorities for getting patta outside the scope of the 1948 Act and this concession was extended from time to time and finally the time granted also expired on 30.06.1975, as per G.O.Ms.No.589, dated 14.05.1975. The petitioners or their predecessors in title failed to utilize the opportunity and now preferred claim for grant of patta for the subject property. Therefore, the claim of the petitioner cannot be entertained by the Revenue authorities at this passage of time, in the absence of adequate provisions under the 1948 Act.

7. The first respondent in W.P.No.33006 of 2016 filed counter and stated that the petitioner requested to grant patta for the land comprised in Survey No.3/1, etc., situated at Madharpakkam Village, Gummidipoondi Taluk, Tiruvallur District, under Section 11 of the 1948 Act, claiming that the subject land was part of Katchanadu Samasthanam and requested the Commissioner of Land Administration to issue patta. By the communication dated 19.11.2012, the petitioners were informed that the government have amended the provision of the 1948 Act under the powers conferred under Section 67 of the 1948 Act.

7.1. According, the last date to apply for patta was on 20.08.1987 and the powers to authorities to condone the delay have been withdrawn and the petitioners made their claim nearly after the period of 60 years. However, it was challenged before this Court in W.P.No.7856 of 2013 and this Court by an order



dated 27.06.2014, set aside the order passed by the Commissioner of Land Administration and remanded the case to the Director of Survey and settlement with a direction to issue notice to the petitioners and consider their objections and pass orders on merits and in accordance with law. Accordingly, the second respondent conducted enquiry and pass orders dated 24.04.2015, thereby rejecting the claim of the petitioners.

7.2. Aggrieved by the same, the petitioners preferred an appeal before the first respondent and by an order dated 24.06.2015, the petitioners were informed that no statutory appeal lies before the first respondent. Challenging the said order, the petitioner filed a Writ Petition in W.P.No.23197 of 2015 and this Court by an order dated 01.12.2015 has directed the first respondent to consider and pass orders in the appeal filed by the petitioners. After careful examination of the documents submitted by the petitioners, in accordance with law, the first respondent dismissed the claim of the petitioners by the impugned order dated 21.06.2016 in this Writ Petition. If the petitioners claim recourse as ryots, such ryotwari patta should have been applied under Section 11 of the 1948 Act, which requires that the person is entitled to have ryotwari patta in respect of all ryoti lands, which immediately before the notified date, were properly included in his holding and which are not either lanka lands or lands in respect of which a land holder or some other person is entitled to a ryotwari patta. Since the TTD had purchased the village through Court auction and subsequent sales, it would have been treated as a zamin estate under the Devasthanam. The petitioners failed to produced any document that the land in question in their holding and that they did not satisfy the conditions to apply for patta under Section 11 of the 1948 Act.

7.3. It is further stated that the said Madharpakkam village, now in Gummidipoondi Taluk was taken over by the government under the provisions of the 1948 Act, by G.O.Ms.No.5426, Revenue Department dated 11.08.1950 as amended by G.O.Ms.No.2210, Revenue Department dated 01.08.1952. Before the settlement, the village was attached to Kalahasthi Zamin estate. Ryotwari Settlement in the Village was introduced in fasli 1366 (1956). The petitioners' claim is that they are the descendants of the Solagiri Zamin and the lands claimed by them are their private/pannai lands. Therefore, as land holders, their claim should have been made under Section 12 of the 1948 Act.

7.4. Under the Rules framed to the 1948 Act in the



notification issued in G.O.Ms.No.4446, Revenue dated 30.11.1957, every land holders claiming a ryotwari patta under Sections 12, 13 and 14 of the 1948 Act, as the case may, shall apply in writing to the Settlement Officer within six months from the notified date or within 3 months from the date of this notification. Further according to Section 15 of the 1948 Act, any person aggrieved by the decision made under Section 12 in Final Settlement Enquiry, may file appeal before the Tribunal within two months from the date of such decision.

7.5. The counter further revealed that on a perusal of the documents putforth by the petitioners shows that one Kali Venkatasamy Reddy was the principal predecessors in title, from whom they are claiming patta over the lands. It is also seen that there are three other legal heirs to the said Venkatasamy Reddy viz., Chenga Reddy, Krishan Reddy and Nagappa Reddy. The petitioners herein are claiming the title in the capacity of legal heirs to Subba Reddy who is the son of Chenga Reddy. Thus, the legal heirs of Krishan Reddy and Nagappa Reddy have been left behind without any discussion or explanation. Further even one Duraisamy Reddy who happens to be yet another legal heir of Chenga Reddy has also been left behind.

7.6. It is further stated that the government have amended the provisions of the 1948 Act, under the powers conferred in Section 67 of the 1948 Act and issued a notification in G.O.Ms.No.714, Commercial Taxes and Religious Endowments Department dated 29.06.1987. As per the notification, 20.08.1987 was the last date to apply for patta and the powers to authorities to condone delay have been withdrawn. The petitioners were also informed that they made their claim nearly after 60 years and no stretch of imagination can be termed as normal delay and that their request for patta cannot be entertained. Against the aforesaid reply of the first respondent, the petitioners have filed a Writ Petition in W.P.No.7856 of 2013, before this Court and as per the order dated 27.06.2014 passed by this Court, the Director of Survey and Settlement, the second respondent herein conducted enquiry and by the communication dated 24.04.2015, rejected the request of the petitioners. Against, the order of the Director of Survey and Settlement, the petitioners preferred an appeal before the first respondent on 08.06.2015 and by the communication dated 24.06.2015, the petitioners have informed that no statutory appeal lies before the Commissioner of Land Administration. As such, the first respondent has only informed the petitioners about the prevailing rules and has not made any averments contrary to the earlier order of this Court.



8.The respondents in other Writ Petitions in W.P.Nos. 42340 of 2016 & 12570 of 2017 have also reiterated the averments made in the counter filed by the first respondent in W.P.No.33006 of 2016 as stated in the earlier paragraphs.

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9.Mr.V. Raghavachari, learned counsel appearing for the petitioners in W.P.Nos.33006 & 42340 of 2016 & 12570 of 2017, raised following grounds:-

9.1. The delay in filing an application for grant of patta is untenable. It would in no manner disentitle the petitioner. The Government of Tamil Nadu has issued G.O.Ms.No.1300 dated 30.04.1971, enabling the persons who had not applied in time to secure patta outside the scope of the 1948 Act, if they apply to the District Collector. The said G.O., enables the land holders or the ryot or the vendee to get patta, if he had failed to make an application earlier, provided he is entitled to the same. It only demands adequate publicity in the village and its neighbourhood before any proposal is made to grant patta under the G.O. The grant of patta is not restricted to Section 11 of the 1948 Act. In this regard, the learned Counsel relied upon the judgment reported in 2010 WLR 356 in the case of S.Kulanthaivel Vs. The District Revenue Officer, Namakkal., as follows :-

"32. Learned counsel for the petitioner made particular reference to the decision reported in 1998 Law Weekly 89 ([Mangathayi Ammal V. E.M.Sami](#)), wherein, on a question as to the rejection of the application from a land holder claiming Ryotwari patta, this Court pointed out referring to the judgment of this Court in an unreported decision in W.P.No.1058 of dated 10th December 1960 and W.P.No.900 of 1960 dated 10th April 1962 that the land owner's right to a Ryotwari patta was, by no means lost, merely because his application under [Section 13](#) was rejected as time barred. This Court pointed out that in the event of Ryotwari Patta not being granted, the land owner will not have a right of appeal against such an order. Nevertheless, given the nature of land as a cultivable land in respect of which the land owner was entitled to Ryotwari patta, then, independent of any enquiry conducted by the Settlement Officer in the course of any proceedings before him contemplated



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under Section 15 of the Act, the Government owes a duty to the land owner to grant him the Ryotwari patta.

33. The effect of the decision, as referred to above, is irrespective of whether a claim was made for a grant of patta by a land owner, the character of the land as a Ryotwari land remains as it is either before or after the Act unless the holding pattern undergoes a radical change either by forces of nature, Act of God or of man. Secondly, the fact that the petitioner like land owners have not approached the authorities concerned on time does not mean, the Government could, as such, take over the land as a poramboke without conducting an enquiry and survey. The duty cast on the Government is an inevitable one, that the Government has to go in the character of the land, which has to be surveyed and settled. If the survey conducted by the Government discloses that the item in question was one in respect of which the land owner was entitled to Ryotwari Patta, then, independent of any enquiry conducted by the Settlement Officer, in the course of any proceedings, the Government has to grant the owner, the Ryotwari patta."

9.2. The land owners have not approached the authorities concerned on time does not mean the government could as such, take over the land as a poramboke without conducting an enquiry and survey. The duty cast on the government is an inevitable one, that the government has to go in character of the land, which has to be surveyed and settled. If the survey conducted by the government discloses that the item in question was one in respect of which the land owner was entitled to have ryotwari patta, then, independent of any enquiry conducted by the authorities concerned, the government has to grant the owner.

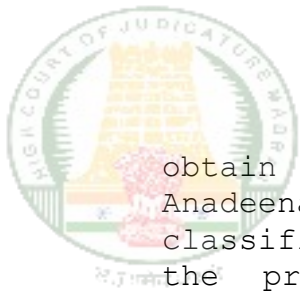
9.3. He also pointed out the earlier order passed by this Court in W.P.No.7856 of 2013 thereby directing the authority concerned to decide the matter on merits, without



rejecting it on the ground of delay and latches. He further submitted that this Court repeatedly held that the plea of limitation is unavailable, however the respondents again and again projected the plea of limitation. All the petitioners have sought for patta and as such, it has to be seen whether the petitioners are entitled for their claim rather than falling prey to the mischief of the respondents in seeking to raise a non-existing issue of delay in seeking patta.

9.4. The learned counsel appearing for the petitioners raised another ground that the pre-existing rights of the petitioners cannot be affected by the 1948 Act. Their rights had been established through documents and the scheme provided under the 1948 Act is subject to the pre-existing rights of an occupant. In support of his contention he relied upon the judgment reported in 1970 (2) Madras 788 in the case of K.L.M.Ramamoorthy and Ors Vs. State of Madras, in which the Hon'ble Division Bench of this Court held that the idea behind the 1948 Act, so far as a ryoti holding is concerned, is to affirm the holding to the ryot on a more permanent basis under the ryotwari system. It could not be equated to the grant of patta by way of assignment under the Revenue Standing Orders or under Rules of assignment out side the scope of the statutory enactments.

9.5. He also raised another ground that a mere classification of subject lands as Anadheenam or Poramboke does not result in vesting with the Government. The mere entry in the Government records would not alter the nature of the land. A ryoti land is always a ryoti land and mere entry in the Government records bear no significance. In support of his contention, he relied upon the judgment reported in 1956 (1) Mad LJ 200 in the case of Strimathi Saraswathi Bai Vs. Chairman, Estate Abolition Tribunal., which held that the character of the property has to be seen not with reference to the survey register and the materials to support the claim of the land owner to a Ryotwari patta. As regards the classification of Anadheenam lands, the term simply means unoccupied lands. There is no vesting of such lands upon the Government. The claim of the petitioners for issuance of patta with regard to the lands comprised in survey No.157 or 3/1 and others cannot be dislodged on the ground that the lands were not in occupation or classified as Anadheenam lands. The ryot or the proprietor of the holdings had absolute right to keep the lands idle. Non cultivation of lands does not affect the rights of the petitioners to claim patta. Therefore, the classification of Anadheenam lands does not curtail the right of the petitioner to



obtain patta. The lands whether classified or unclassified as Anadeenam cannot affect the right of the petitioners. Such classification does not change the nature of ryotwari land or the pre-existing rights enjoyed by the ancestors of the petitioners. As per Chapter III of the 1948 Act, the ryotwari patta could be granted if the holder of the land is a ryot, and the land is a ryoti land.

9.6. He further submitted that the Government is expected to act in fair and reasonable manner rather than resorting to unjustifiable objections. The impugned order passed without taking into consider any of the submission made by the petitioners with regard to their status as legal heirs of Zamindar. Therefore, he prayed to allow all these Writ Petitions.

10. Mr.S.Subbiah, learned Senior Counsel appearing for the petitioners in W.P.No.28245 of 2018 raised the following grounds :-

10.1. Under Section 3(b) of the 1948 Act, the subject land was to vest to the Government free from all encumbrances and there are provisions contained under Sections 11 & 13 of the 1948 Act, with other relevant provisions as to the grant of Ryotwari pattas on the basis of the classification. Though it is stated that the subject lands vest with the Government, still the possession of the subject has not been taken from the land holders. In fact, the sixth respondent conducted detailed enquiry and sent letter dated 18.07.2013, to the fourth respondent thereby recommended for issuance of patta. In turn, the fourth respondent forwarded the same to the third respondent for further action. In spite of the same, the third respondent did not pass any orders as such, the petitioners were constrained to file a Writ Petition in W.P.No.26719 of 2016 and this Court by an order dated 15.12.2016, directed the third respondent to pass orders on merits and in accordance with law. Even then, the third respondent did not pass any orders.

10.2. He further submitted that the subject lands were classified as Anadheenam in the revenue records. According to the Government, it is the Government land for which, no patta could be issued in respect of the subject lands. The word Anadheenam will not confer in any manner, any title or interest in it, as none of the provisions contained under the 1948 Act or the Standing Orders of the Board of Revenue or any other proceedings having the force of law classify as Anadheenam as that of the land belonging to the Government. There is no provision to define the word Anadheenam. There is no question of



the land to be taken as one assessed or un-assessed, as found in Clause 15(35), (36) to 38 of the Revenue Standing Order and no word of Anadheenam is found in any of the Standing Order.

10.3. He also submitted that there is no provision called as Anadheenam in any of the provisions contained under the 1948 Act, and it is significant to submit that no Rules have been framed for the 1948 Act, though under Section 67 of the 1948 Act, the Government retained its powers to make Rules under Clause (a) of Sub Section (2) of Section 67 of the 1948 Act, for all matters expressly required or allowed by the 1948 Act to be prescribed and also under Clause (d), for the time, within which applications and appeals, may be prescribed under the 1948 Act, in cases for which, no specific provision in that behalf has been made therein. There is no prohibition for making application for patta under the 1948 Act and the Government cannot pass order limiting the rights of the aggrieved persons.

10.4. The Government Order under G.O.Ms.No.714 dated 29.06.1987 lastly extended the time limit for making appeals upto 20.08.1987, and the G.O.Ms.No.1300 dated 30.04.1971 had been issued to facilitate the ryots and the land holders to avail the provisions of the 1948 Act. The Government itself retained the power under Section 67(2)(a) & (d) of the 1948 Act more particularly, under Clause (d) thereto making it to clear the time within which, the applications and appeals may be prescribed under the 1948 Act, in cases, for which no specific provision had been made.

10.5. So, when there is no time limit prescribed under the 1948 Act for making any original application, and thus, preventing the land holders and beneficiaries from making any application thereto, shutting the door for their entry into the provisions of the 1948 Act, without making any application, thus depriving the right of the citizens from possessing the properties, declared to be a human right under Article 19 of the Constitution of India, the stand taken by the Government is unconstitutional. Article 162 of the Constitution of India would not help the Government to execute powers, without making any provision in the enactment. Therefore, the Government Order cannot be said to be a legislative function and as such the said G.O.Ms.No.714 dated 26.09.1987, without resorting to the amendment to be carried to the said Act or framing a Rule or Rules, independently passed by the Government and as such it is legislatively incompetent, without any power or jurisdiction. As such, the Government cannot curtail the civil rights of the citizen over their properties by passing the G.O.



10.6. The petitioners are in possession and enjoyment of their respective property and as per the proviso to Section 3(d) of the 1948 Act, the Government shall not dispossess any person of any land in the estate in respect of which they considered that he is prima facie entitled to Ryotwari Patta, subject to the qualifications in (i) and (ii). In support of his contention, he relied upon the judgment of the Hon'ble Supreme Court of India reported in 2021 (7) MLJ 574 in the case of State of Tamil Nadu rep by its District Collector & anr Vs. L.Naarasinga Rao & ors., which held that classification mentioned under the revenue records as Anadeenam was not as a Government land but unoccupied land also assumes significance and the oral evidence of the Village Karnam. In fact, in the case on hand, the Thasildar and the District Revenue Officer supported the case of the petitioner and recommended for issuance of patta in favour of the petitioners. Hence, he prayed for direction to direct the respondents to issue patta to the petitioners.

11. Mr.Richardson Wilson, learned Government Advocate appearing for the respondents in all the Writ Petitions submitted that as per the scheme of the 1948 Act, all the estates/lands covered by the notifications stands transferred and vested with the Government as per Section 3(b) of the 1948 Act. Section 3(e) states that even erstwhile owners can claim a right only by applying for ryotwari patta. Any person who claims right over the estate land should have applied for appropriate patta under Section 11 to 14 of the 1948 Act. If the patta is not granted, then under Section 3(b) read with 3(e) of the 1948 Act, the land belongs only to the Government. It also makes it a general rule that the lands covered by the notification vested with the Government and carves out exceptions for the persons who applied for patta.

11.1.He further submitted that though the petitioners claimed that they are entitled for the grant of ryotwari patta under Section 11(a) of the 1948 Act, neither the petitioners nor their vendors have applied for patta before the Settlement Authority within the time period prescribed by the Rules made under the 1948 Act. The time period for making application under the 1948 Act were prescribed by means of various Government Orders issued from time to time. The G.O.Ms.No.3190 dated 17.10.1955 amended by G.O.Ms.No.1400 dated 21.11.1975 and lastly G.O.Ms.No.714 dated 29.06.1987 have been issued. Accordingly the last date to apply with condonation of delay for not presenting an application for grant of patta under Section 11(a) of the



1948 Act was 20.08.1987. None of the petitioners or their vendors have applied for patta on or before 20.08.1987.

11.2.He also submitted that the period of limitation prescribed under these Rules issued by way of Government Orders are in excess of power conferred by the Section 67(2)(b) of the 1948 Act and have been considered by the Hon'ble Division Bench of this Court. This Court in the judgment reported in 1974 (2) MLJ 328 in the case of the Settlement Officer And Ors. vs K.V. Krishna Iyer And Anr., held that the Settlement Officer does not have power to condone the delay, if the application is made after the period of limitation prescribed by the Government Order. In another judgment reported in 2016 (2) LW 45 in the case of the Tamil Nadu Housing Board vs Igate Global Solutions Limited, the Hon'ble Division Bench of this Court by relying on the G.O.Ms.No.714 dated 20.08.1987, held that a person who claims ryotwari patta must apply within the period prescribed, i.e., on or before 20.08.1987 and the failure to do so render the application liable to be dismissed as barred by limitation.

11.3.He also contended that though the learned Senior Counsel submitted that the period of limitation cannot be prescribed by way of Government Order, the said Government Order has not been challenged so far. When the statute permits the Government to frame Rules, and the statute does not prescribe the manner in which the Rule should be framed. The Rules can be framed by way of executive orders. Therefore, the G.O.Ms.No.714 dated 29.06.1987 is applied to the present case and none of the petitioners are entitled to grant of ryotwari patta under Section 11(a) of the 1948 Act.

11.4.The learned Government Advocate also submitted that insofar as the recommendation of the Revenue Divisional Officer, dated 06.08.2013 in W.P.No.28245 of 2018 is concerned, the authority to grant patta is the Settlement Thashildar or Settlement Officer under the 1948 Act. In the said report, the Revenue Divisional Officer has recorded that the petitioners have purchased the property in the year 1984 and he has been residing in the property and thus recommended for grant of patta. The said Revenue Divisional Officer is not an authority under the 1948 Act, to recommend for issuance of patta. The authority under the 1948 Act, who are basically the officers of the Settlement Department, under the control of the Director and Settlement can make recommendations under the 1948 Act.

11.5.He further submitted that insofar as the petition in W.P.No.33006 of 2016 is concerned, apart from the question of



limitation, the Commissioner of Land Administration has analysed the documents submitted by the petitioners and found that the document submitted by the petitioners do not correlate to the subject property as the villages mentioned in the Document are different. The petitioners predecessors could not have purchased the property, since Sidhama Aggraharam is a separate village and not under Madharpakkam Village. Thus the petitioners have purchased the property only in Siddhama Agraharam village and not in Madharpakkam village which is a Zamin estate. Further, TTD have purchased the property only in Siddhama Agraharam in the Court auction and not in Madharpakkam village as claimed by the petitioners. Therefore, the petitioners who claim to have purchased from the TTD cannot have purchased in Madharpakkam village. Hence, the petitioners are not entitled to ryotwari patta under the 1948 Act.

11.6. Insofar as the petition in W.P.No.12570 of 2017 is concerned, challenging the G.O.Ms.No.264 allotting the land in favour of other departments and SSN Trust, when the petitioners themselves are not entitled to patta, the petitioners cannot challenge the assignment of land in favour of the third parties. Further, the petitioners have not arrayed the beneficiary department/ undertakings as respondents in the present case. The classification as Anadheenam land has not conferred any right to the petitioners to get ryotwari patta. If the petitioners are not entitled to get ryotwari patta under the 1948 Act, the land vested with the Government and it cannot be questioned by the petitioner and there is no need to delve into the nature and right over Anadheenam land.

11.7. In support of his contention, the learned Government Advocate cited the judgment of this Court reported in 2010 Writ L.R. 356 in the case of S.Kulanthaivel Vs. The District Revenue Officer, Namakkal & ors., in which the Hon'ble Single Judge of this Court relied upon the judgment of the Full Bench of this Court reported in 1998 (1) CTC 630 in the case of Srinivasan & ors Vs Sri. Madhyarjuneswaraswami Pattaviathalai, and submitted that the ratio in that cases was only that the right of the Civil Court is not taken away to decide over lands covered by the 1948 Act. The said decision is not a proposition for the question of condonation of delay in filing an application for grant of patta and it has no relevance to the facts of the case. Therefore, he prayed for dismissal of all the Writ Petitions.

12. Heard Mr. V.Raghavachari, learned counsel appearing for the petitioners in W.P.Nos.33006 & 42340 of 2016 and 12570 of 2017, Mr.S.Subbiah, learned Senior Counsel appearing for the



petitioners in W.P.No.28245 of 2018 and Mr.Richardson Wilson, learned Government Advocate appearing for the respondents in all the Writ Petitions.

13.The petitioners in W.P.No.28245 of 2018 are seeking Mandamus to direct the respondents to grant patta on the basis of the report submitted by the fifth respondent dated 06.08.2013. The petitioners in W.P.No.33006 of 2016 have challenged the order passed by the first respondent dated 21.06.2016, thereby dismissing the appeal filed by the petitioners as against the order passed by the second respondent. In W.P.No.12570 of 2017, the petitioners have challenged the G.O.Ms.No.264 dated 23.05.2008, whereby the land over which the petitioners are seeking settlement patta has been allotted to the private trust viz., S.S.N.Trust for the establishment of Technical University and Educational Institution and to various Government agencies for establishment of residential quarters for Government undertaking employees. In W.P.No.42340 of 2016, the petitioners have challenged the order of the Assistant Settlement Officer (North) rejecting the request of the petitioner to grant ryotwari patta.

14.The petitioners in W.P.Nos.33006 & 42340 of 2016 have filed petitions seeking ryotwari patta under the provisions of Section 11 of the 1948 Act, for the land comprised in survey Nos.3/1 etc., and 157 respectively, to an extent of 725.50 acres and 18.90 acres respectively, situated at Madharapakkam Village and Thachur Village respectively.

15.The petitioners in W.P.No.33006 of 2016 were informed that the settlement in the Madharapakkam Village was completed in the year 1950 and the petitioners have made their applications for issuance of patta after 62 years, as per the rules amended in G.O.Ms.No.714 dated 29.06.1987. Aggrieved by the same, the petitioners filed Writ Petition in W.P.No.7856 of 2013 and this Court by an order dated 27.06.2014, set aside the order passed by the Commissioner of Land Administration and remanded the same before the second respondent herein with direction to consider the same on merits and in accordance with law. Accordingly, the second respondent conducted detailed enquiry and rejected the request of the petitioners. Aggrieved by the same the petitioners preferred appeal before the first respondent and as directed by this Court in W.P.No.23197 of 2015 dated 01.12.2015, the first respondent conducted enquiry and thereafter dismissed the appeal by the impugned order dated 21.06.2016. Insofar as the Writ Petition in W.P.No.42340 of 2016 is concerned, the petitioners filed this petition



challenging the order passed by the first respondent, thereby rejecting the application seeking for patta under the 1948 Act.

16.The petitioners in W.P.Nos.33006 & 42340 of 2016, claimed that the subject property in Kalahasthi Samasthanam had been purchased and dealt by one Kali Venkatasamy, who is the predecessors of the petitioners. According to them, a lease document was executed in the document No.1097 of 1898, by Venkatasamy Reddy and Narayanasamy Reddy to one Munusamy Iyer on 01.12.1898 for the property in Madharapakkam. By the document No.92 of 1902, a Release document executed by Appasamy Reddy and Subba Reddy in favour of Kali Venkatasamy Reddy and thereafter by the sale deed dated 09.01.1909 registered vide document No.156 of 1909 executed by one Kandi Kotta Subramaniyan in favour of the said Kali Venkatasamy, in respect of the property situated at Sathyavedu, Kalahasthi Samasthanam, Kachinadu. Thereafter, by the auction sale the said Venkatasamy Reddy purchased the property in O.S.No.40 of 1910 belonging to Subba Reddy in respect of the property in Kalahasthi Samasthanam. As per G.O.Ms.No.3157 dated 09.12.1950, Thatchur village forms part of the land. The said village belongs to Kachinadu Estate, Kalahasthi Samasthanam, which evidence from notification dated 26.11.1958. As regards Madharapakkam village, it formed a part of Sidhamma village falls within the Kachinadu Estate. Therefore, the petitioners predecessors had got title over the subject property. Hence, they made application for issuance of ryotwari patta.

17.On perusal of records revealed that the TTD have purchased the entire village of Sidhamma Agraharam on Court auction dated 19.01.1949. Therefore, the petitioners' predecessors would not have purchased the property situated Madharapakkam village in the year 1909. That apart, according to the petitioners Madharapakkam village comes under Sidhamma Agraharam by the G.O.Ms.No.2210 dated 01.08.1952. On verification of the gazette publication, Sidhamma Agraharam has been mentioned as a separate village and Madharpakkam an another village under Chingleput District. The Madharpakkam village is a Zamin estate which has been attached to the Kalahasthi Zamindari Block A of Kachinadu Samasthanam. But it is not clear by the document produced by the petitioners that the property situated at Madharpakkam village attached to Sidhamma Agraharam.

18.Further the case of the petitioners is that after purchase of the villages in Kachinadu Samasthanam by the TTD in the year 1914 through Court sale from the Rajah of Kalahasthi, the predecessors of the petitioners have become ryots and they



are entitled to get ryotwari patta. Further the ryotwari patta has to be applied under Section 11 of the 1948 Act and they are entitled to ryotwari patta in respect of the ryoti land. However, the petitioners failed to prove the same by production of valid documents. The documents produced by the petitioners are not correlated to the Madharapakkam village and the petitioners could not able to establish the direct connection between each of the document to substantiate their claim. That apart, the lands have been registered in the names of various persons and even then the petitioners did not take any steps to transfer the said lands for all these years.

19. Further the learned Senior Counsel appearing for the petitioners in W.P.No.28245 of 2018 vehemently contented that there is no time limit prescribed to apply ryotwari patta under Section 11 of the 1948 Act. However, Section 67 of the 1948 Act, confers power to the Government to make rules to carry out the purposes of the 1948 Act. Under the 1948 Act, the person who claims right over the estate should apply for grant of patta under Section 11 to 14 of the 1948 Act. If the patta denied to the person in respect of the subject land, by virtue of Section 3(b) and (e) of the 1948 Act, the said land vest with the Government. In this regard, it is relevant to extract the provision under Section 11 of the 1948 Act, as follows :-

"11. Lands in which ryot is entitled to ryotwari pattas. - Every ryot in an estate shall, with effect on and from the notified date, be entitled to a ryotwari patta in respect of-

(a) all ryoti lands which, immediately before the notified date, were properly included or ought to have been properly included in his holding and which are not either lanka lands or lands in respect of which a landholder or some other person is entitled to a ryotwari patta under any other provision of this Act; and

(b) all lanka lands in his occupation immediately before the notified date, such lands having been in his occupation or in that of his predecessors-in-title continuously from the 1st day of July 1939:

Provided that no person who has been admitted into possession of any land



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by a landholder on or after the 1st day of July 1945 shall, except where the Government, after an examination of all the circumstances otherwise direct, be entitled to a ryotwari patta in respect of such land."

20. Even assuming that the petitioners are entitled for ryotwari patta under Section 11(a) of the 1948 Act, neither the petitioners nor their vendors have applied for patta within the time prescribed by the rules made under the 1948 Act. The time period for making application under the 1948 Act were prescribed by means of various Government Orders issued from time to time. As per the G.O.Ms.No.714 dated 29.06.1987, the last date to apply with condonation of delay for not presenting an application for grant of patta under Section 11(a) of the 1948 Act, was till 20.08.1987. The petitioners or their vendors never applied for patta or or before 20.08.1987. They have applied for patta only in the year 2012. The period of limitation prescribed under these rules issued by way of Government Orders are in excess of power conferred under Section 67(2)(b) of the 1948 Act. For ready reference, the Section 67 of the 1948 Act is extracted hereunder :-

"67. Power to make rules. - (1)

The Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for -

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the procedure to be followed by the Tribunals, Special Tribunals, authorities and officers appointed, or having jurisdiction, under this Act;

(c) the delegation of the powers conferred by this Act on the Government or any other authority, officer or person;

(d) the time within which applications and appeals may be prescribed under this Act, in cases for which no specific provision in that behalf has been made herein;....."

21. As rightly pointed out by the learned Government Advocate appearing for the respondents, the Settlement Officer does not have power to condone the delay if the application is



made after the period of limitation prescribed by the Government Order which was then in force. Further the Hon'ble Division Bench of this Court, in the case of the Tamil Nadu Housing Board vs Igate Global Solutions Limited reported in 2016 (2) LW 45, held that a person who claims ryotwari patta must apply within the period prescribed, i.e., on or before 20.08.1987 and the failure to do so renders the application liable to be dismissed as barred by limitation.

22. Admittedly, the petitioners have not filed application within the period prescribed by the Government Order viz., on or before 20.08.1987. However, the learned Senior Counsel appearing for the petitioners vehemently contented that the period of limitation cannot be prescribed by way of Government Order. Even then, the petitioners had not chosen to challenge the said Government Order in G.O.Ms.No.714 dated 29.06.1987. It is not open to them to raise any of the ground to attack the said Government Order. It is settled that when a statute permit the Government to frame Rules, and the statute does not prescribe the manner in which the Rule should be framed, the Rule can be framed by way of executive orders. The Hon'ble Division Bench of this Court held in two cases that as per the G.O.Ms.No.714 dated 29.06.1987, the application for grant of patta must be submitted within the time prescribed in the G.O. Therefore, the petitioners are not entitled to grant of ryotwari patta under Section 11(a) of the 1948 Act.

23. That apart, the petitioners claimed patta to an extent of 725.50 acres of land comprised in survey No.3/1 etc., and to an extent of 18.90 acres comprised in 157 situated at Thachur and Madharapakkam Village, Ponneri Taluk, Thiruvallur District, for which they did not even produce any documents such as Adangal, Chitta etc., to show that they are in possession and enjoyment of the same. They are also failed to produce any tax receipts to show that they are enjoying the subject land. Therefore the question of classification of land as Anadheenam does not arise, where it vested with the Government. The word Anadheenam land means un-occupied land. Therefore, the petitioners are not in possession and enjoyment of the subject land. If at all they are in possession and enjoyment of the subject lands, they would have approached the authority concerned long back within the time prescribed by the Government Orders for issuance of patta. There is absolutely no whisper for the delay and no document was produced by them to establish their possession and enjoyment of the subject property.

24. Further the similar request made in respect of the



property situated at Padianallur Village, Ponneri Taluk, Thiruvallur District, was rejected by the authority concerned and the same was confirmed by the Hon'ble Division Bench of this Court and upheld the reason as time barred for claiming ryotwari patta. Therefore, the judgment cited by the learned counsel appearing for the petitioners in W.P.No.33006 of 2016 are not helpful to the case on hand. This Court finds no infirmity or illegality in the order passed by the respondents in W.P.No.33006 of 2016 and the said Writ Petition is devoid of merits and liable to be dismissed.

25.Insofar the petition in W.P.No.42340 of 2016 is concerned, the land comprised in survey No.157 ad measuring 18.90 acres has been sub divided and registered as follows :-

(i) Survey No.157/1A 1A to an extent of 1.78.5 hectare stood in the name of Citrux Products Private Limited in patta No.479

(ii) Survey No.157/1A 1B to an extent of 2.02.5 hectare stood in the name of Sathishkumar, S/o.Rajendran in patta No.1754

(iii) Survey No.157/1A2 to an extent of 0.40.5 hectare stood in the name of S.Rathakrishnan, S/o. V.Srinivasan in patta No.533

(iv) Survey No.157/1 to an extent of 0.03.5 hectare, classified as Sarkar Poramboke - Highways Department

(v) Survey No.157/2 to an extent of 2.63.0 hectare, classified as Sarkar Poramboke - Meikkal.

(vi) Survey No.157/3 to an extent of 0.36.5 hectare, classified as Sarkar Poramboke - MMWSS - Water resource.

26.As stated in the earlier Writ Petition in W.P.No.33006 of 2016, the petitioners did not produce any documents to show that they are in possession and enjoyment of the same and the documents produced by the petitioners are not correlated with the Zamin property. Further, in the year 1992, the subject land brought for auction sale by the Tamil Nadu Industrial Investment Corporation and sold out in favour of the private persons as stated supra in respect of the sub division in survey Nos. 157/1A 1A, 157/1A 1B, 157/1A2. Therefore, the first respondent rightly rejected the claim of the petitioners and this Court finds no infirmity or illegality in the order passed by the first respondent and the Writ Petition is devoid of merits.

27.Insofar as the Writ Petition in W.P.No.12570 of 2017 is concerned, the petitioners challenged the Government Order in G.O.Ms.No.264 dated 23.05.2008, thereby allotting the subject lands to S.S.N.Trust and other departments. When the petitioners are not entitled to ryotwari patta, they have no locus to



challenge the Government Order thereby assigning the subject land in favour of the third party. Hence, this Writ Petition is devoid of merits and liable to be dismissed.

28. Insofar the petition in W.P.No.28245 of 2018 is concerned, the petitioners claimed patta on the basis of the report dated 06.08.2013, sent by the fourth respondent viz., the District Revenue Officer, Kancheepuram, to the third respondent viz., the District Collector, Kancheepuram. Under the 1948 Act, the authority to grant patta is the Settlement Thashildar or the Settlement Officer. Whereas, in the present case, the Revenue Divisional Officer has recommended for grant of patta. The authority under the 1948 Act, who are basically the officers under the control of the Director and Settlement can make recommendations under the 1948 Act. Therefore, the directions sought for by the petitioners cannot be considered and the Writ Petition is devoid of merits and is liable to be dismissed.

29. In the result, all the Writ Petitions are dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Rts

To

1. The Additional Chief Secretary and
Commissioner of Land Administration,
Chepauk, Madras - 600 005.
2. The Director of Survey and Settlement,
Chepauk, Madras - 600 005.
3. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.
4. The Revenue Secretary,
Revenue Department,
Government of Tamil Nadu,
Chennai - 600 009.



5. The Land Commissioner,
Land and Survey Settlement Office,
Ezhilagam.

6. The District Collector,
Thiruvallur.

7. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

8. The Principal Commissioner and
The Commissioner for Land Administration,
Chepauk, Chennai - 600 005.

9. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

10. The District Revenue Officer,
Kancheepuram - 631 501.

11. The Revenue Divisional officer,
Chengalpet - 603 001.

12. The Tahsildar,
Tirupporur Taluk,
Tirupporur - 603 110
Kancheepuram District.

+3cc to Mr.V.Raghavachari, Advocate SR.No.64197
+1cc to Mr.Elizabeth Ravi, Advocate SR.No.64563

W.P.Nos.33006 & 42340 of 2016,
12570 of 2017 and 28245 of 2018
W.M.P.Nos.28519 & 36244 of 2016,
13342 of 2017 and 32934 of 2018

SSI (CO)
GN(23/12/2021)