



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.15523 OF 2021

AND

WMP.NO.20592 OF 2021

E.Baskar

...Petitioner

Vs

1.The District Collector,
Tiruvallur District,
Tiruvallur

2.The District Revenue Officer,
Tiruvallur District,
Tiruvallur

3.The Tahsildar,
Pallipattu Taluk,
Tiruvallur District

4.The Secretary,
Revenue Department,
Fort St.George,
Chennai 600 009.

5.E.Sree Hari

6.K.Pattabi

(4th respondent impleaded vide
court order dated 17.11.2021 in
WMP.No.20589 of 2021 in
WP.No.15523 of 2021)

(5th and 6th respondents impleaded
vide court order dated 17.11.2021 in
WMP.No.22360 of 2021 in
WP.No.15523 of 2021)

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent herein to consider the petitioner's representation / application dated 01.06.2020 for taking appropriate action as directed in O.Mu.14280/2020/N2 dated 26.08.2020 by the second respondent for the issuance of patta in the petitioner's name for agricultural land comprised



in S.No.51/5 of No.19, Ramasamuthiram Village, Pallipattu Taluk, Tiruvallur District measuring an extent of acre 3.40 cents.

For Petitioner : Dr.K.Sundararaj

For Respondents

For R1 to 3 : Mr.Yogesh Kannadasan,
Special Government Pleader

For R6 : Mr.S.Sivakumar

ORDER

The writ petition is filed for direction directing the third respondent to consider the petitioner's representation dated 01.06.2020 for issuance of patta for the land comprised in survey No.51/5 situated at No.19, Ramasamuthiram Village, Pallipattu Taluk, Tiruvallur District.

2. On perusal of the counter filed by the third respondent, revealed that the land comprised in survey No.51/5 measuring 1.41.0 hectares is not a patta land which stands registered in the name of the respondents 5 and 6 herein. It is classified as bought-in-land in the village accounts. Therefore, the provisions of the Tamilnadu Patta Passbook Act and Tamilnadu Patta Passbook Rules are not applicable for the said land for mutation of patta entries. In the Manual for Revenue Department officials, it is described with regards to bought-in-land as provisions to purchase the land at a nominal price has been set aside by the Hon'ble Supreme Court and the matter is under consideration of the Government. Till a decision is taken, buying of the land at a nominal cost shall be avoided.

3. In view of the above, the request of the petitioner for issuance of patta could not be considered. However, by order dated 02.08.2021, the said request was rejected and communicated the same to the petitioner by speed post on 03.08.2021. Therefore, the writ petition is devoid of merits and liable to be dismissed.

4. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to challenge the order passed by the third respondent in the manner known to law. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Tiruvallur District,
Tiruvallur

2.The District Revenue Officer,
Tiruvallur District,
Tiruvallur

3.The Tahsildar,
Pallipattu Taluk,
Tiruvallur District

4.The Secretary,
Revenue Department,
Fort St.George,
Chennai 600 009

+1cc to Dr.K.Sundararaj, Advocate SR.No.59738

+1cc to Mr.S.Sivakumar, Advocate SR.No.59199

+1cc to the Government Pleader SR.No.59804

WP.No.15523 of 2021

JPL(CO)
RVM(21/12/2021)