



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.17799 of 2021

Gubendra

..Petitioner

Versus

1.The Commissioner for Land Administration,
Ezhilagam,
Chepauk,
Chennai-0600 005.

2.The Director,
O/o.The Land Tax Directorate,
Survey House,
Chepauk,
Chennai-600 005.

3.The Assistant Land Tax Scheme Officer, (South),
Land Survey cum Land Tax Scheme Directorate,
3rd Floor, Survey House,
Chepauk, Chennai-600 005.

4.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

5.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 16.04.2021 sent by the petitioner for cancelling the erroneous classification of his lands measuring 0.20.0 hectares in S.F.No.288 situate at Deveerapalli Village, Hosur Taluk, Krishnagiri District, as Pond (Kuttai) in Revenue Records in accordance with law and within a stipulated period.



For Petitioner : Mr.K.Govi Ganesan
For Respondents : Mr.V.Veluchamy
Government Advocate

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O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 16.04.2021 sent by the petitioner for cancelling the erroneous classification of his lands measuring 0.20.0 hectares in S.F.No.288 situate at Deveerapalli Village, Hosur Taluk, Krishnagiri District, as Pond (Kuttai) in Revenue Records in accordance with law and within a stipulated period.

2. The case of the petitioner is that the initially, one Narasimmaya was the owner of the lands measuring 0.20.0 hectares in S.F.No.288 situate at Deveerapalli Village, Hosur Taluk and he alienated the said lands to one Ramayya in the office of the Sub-Registrar, Hosur. The sons of Ramayya entered into an agreement of sale with petitioner's father on 20.01.2014 for alienating the lands and they committed default in executing and registering the Sale Deed and therefore, petitioner's father filed a suit in O.S.No.1 of 2015 on the file of the Sub-Court, Hosur for specific performance and the suit was decreed on 26.02.2015. Pursuant to the Sale Deed dated 16.12.2015, was executed by the Court conveying the above said property and the Sale Deed was registered as Doc.No.4075/2015 and from then onwards the petitioner's father was in possession and enjoyment of the property. After purchase of the lands the father of petitioner leveled the lands and carried out agricultural activities. After his demise, the petitioner cultivating the said lands. The petitioner sent a representation to the respondent on 16.04.2021 but the same has not been considered so far. Hence, the petitioner has come forward with the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representation dated 16.04.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 16.04.2021 and pass



appropriate orders, on merits and in accordance with law, within a period of Sixteen Weeks from the date of receipt of a copy of this order. No costs.

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Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

ssn

To

- 1.The Commissioner for Land Administration,
Ezhilagam,
Chepauk,
Chennai-0600 005.
- 2.The Director,
O/o.The Land Tax Directorate,
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Chepauk,
Chennai-600 005.
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- 4.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
- 5.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

+1cc to M/s.K.Govi Ganesan, Advocate SR. No.55174
+1cc to Government Pleader SR. No.55912

W.P.No. 17799 of 2021

PMK (CO)
PR (01/12/2021)