



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.18293 of 2021

S.Chitra

...Petitioner

-Vs-

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
O/o,the Revenue Divisional Officer,
Krishnagiri.

3.The Tashildar,
Uthangarai.

...Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the Respondents to make appropriate entries in village A-Register Extract based on the patta assigned in favour of the petitioner vide HSD Patta No.1413/1418(F1)2008-2009 dated 30.09.2008 within a time frame fixed by this Hon'ble Court based on the petitioner representation dated 25.02.2021 and reminder dated 02.08.2021 and pass orders accordingly.

For Petitioner	::	Mr.T.Arockia Dass
For Respondents	::	Mr.Yogesh Kannadasan (Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the directing the Respondents to make appropriate entries in Village A-Register Extract based on the patta assigned in favour of the petitioner vide HSD Patta No.1413/1418 (F1)2008-2009 dated 30.09.2008 within a time frame fixed by this Court based on the petitioner representation dated 25.02.2021 and reminder dated 02.08.2021 and pass orders accordingly.

2. The learned counsel for the petitioner would submit that for the past 35 years, the petitioner is living in S.No 2/21,



Narayana Nagar, Uthangarai Town & Taluk The said land is originally classified as Gramanatha Poramboke on the file of the respondents Revenue Register. Under scheme of issuance of Patta to the landless poor and considering occupation of more than 15 years in the said land, the 3rd respondent issued patta vide HSD Patta No. 1413/1418 (F1) 2008 2009 dated 30.09.2008 to an extent of 0153 sq.mts (1646 Sq.fts)) Right from the date of receipt of the above said patta and even prior to issuance of Patta, the petitioner is living in the said property, after put up construction thereon. The above said property is now provided with water connection and Electricity connection and also the petitioner is paying the property tax to Uthungara Town Penya Krishnagiri District. Though the petitioner is living in the above said property for the past 35 years and for the past 13 years along with HSD patta, still the revenue records of the respondents have not been changed from original classification as Gramanatha Poramboke. Unless and otherwise the appropriate entries are made in Village A Register Extract based on the patta assigned in the name of the petitioner, he cannot obtain any loan from the scheduled banks for development of his family and other benefits. Therefore, the petitioner has approached the respondents through a written representation dated 25.02.2021 with a request to make appropriate entries in the revenue records based on the patta, but the same has not been considered despite by the respondents herein despite of receipt of the above said representation. Therefore, again on 02.08.2021, a reminder was also sent to the respondents herein that also has not been considered. Apart from above, the same request has been given to the Hon'ble Chief Minister of Tamilnadu vide Chief Minister Special Cell and also the Hon'ble Minister for the revenue. The Ministry of Revenue forwarded the request of the petitioner to the 3rd respondent for appropriate action on his representation and the same is kept in cold storage and so far no communication received from any one of the respondents despite of repeated requests and prayer. Under these circumstances, the petitioner has no other effective, alternate and efficacious remedy except to approach this Court by invoking its inherent power under Article 226 of the Constitution of India.

3. The learned Government Advocate for the respondents would submit that the respondents may be directed to consider the representation dated 25.02.2021 and reminder dated 02.08.2021 in accordance with law.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.



5. Having considered the facts and circumstances of the case and submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the claim of the petitioner herein, the respondents are directed to consider the representation dated 25.02.2021 and reminder dated 02.08.2021 and pass appropriate orders on them in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the aforesaid directions, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Lbm

To:

1. The District Collector,
Krishnagiri District.
2. The Revenue Divisional Officer,
O/o, the Revenue Divisional Officer,
Krishnagiri.
3. The Tashildar,
Uthangarai.

+1 CC to Mr. T. Arockia Dass, Advocate sr 43887
+1 CC to The Government Pleader sr 44601.

W.P. No. 18293 of 2021

GPL (CO)
SP (01/11/2021)