



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

WEB COPY

THE HONOURABLE Mrs. JUSTICE V. BHAVANI SUBBAROYAN

W.P. No.22434 of 2021
and W.M.P. Nos.23683 & 23687 of 2021

1. C.R.Vasudevan
2. C.R.Thanikachalam
3. V.Ravichandran

.. Petitioners

Versus

1. The District Collector,
Collectorate of Tiruvallur,
Tiruvallur District,
Tamil Nadu - 602 001.
2. District Revenue Officer,
Collectorate of Tiruvallur,
Tiruvallur District,
Tamil Nadu - 602 001.
3. The Revenue Divisional Officer,
Ponneri Taluk Office, Ponneri,
Tiruvallur District.
4. The Zonal Deputy Tahsildar,
Ponneri Zone, Ponneri Taluk,
Tiruvallur District.
5. The Tahsildar,
Ponneri Taluk Office, Ponneri,
Tiruvallur District.
6. The Director,
Directorate of Town Panchayat,
Raja Annamalai Puram,
Pattinapakkam, Chennai.
7. The Executive Officer,
Ponneri Town Panchayat,
Ponneri Town & Taluk,
Tiruvallur District.
8. The Executive Engineer,
TWARD Board,
Collectorate Buildings,
Tiruvallur Town Taluk & District

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the 5th respondent to issue a patta as per the orders in W.P. No.2001 of 2016 by this Court and consequentially forebear the fifth respondent from converting the classification of the land from private property to Punjai Anadheenam.

For Petitioners : Mr. R.Udaya Kumar

For Respondents 1-7 : Mr.V.Veluchamy
Government Advocate

O R D E R

This writ petition is filed for the issuance of a writ of mandamus directing the 5th respondent to issue a patta as per the orders in W.P. No.2001 of 2016 by this Court and consequentially forebear the fifth respondent from converting the classification of the land from private property to Punjai Anadheenam.

2. The case of the petitioners is that originally the lands comprised in S.No.22, New Survey No.55/2, Periyagavannam Village, Tiruvallur district, admeasuring 4 Acre 5 cents was purchased by the father of petitioners 1 and 2 and the grand father of the third petitioner. It is stated that the above said property was partitioned among the father of petitioners 1 and 2 and the grand father of the third petitioner. After the death of the third petitioner's father, the third petitioner inherited the property. It is stated that the first petitioner sold 35 cents to the second and third respondent. It is further stated that based on the Assistant Settlement Officer, proceedings dated 21.03.1994 and the subsequent legal opinion of the Government Pleader dated 01.07.1994, the Head Quarters Tahsildar in his proceedings dated 08.05.2008 issued patta to the legal heir of the other auction purchasers namely Krishnaswamy and T.Ramaswamy, the fathers of petitioners 1 and 2, respectively, but failed to consider the numerous representations submitted by the petitioners and their fathers. Hence, the petitioners have sent an advocate's notice on 06.08.2014. It is further submitted, since the respondents failed to consider the numerous representations of the petitioners, the petitioners filed a writ petition before this Court in W.P. No.2001 and 2016, to consider the petitioners' representation dated 11.12.2013, for issuance of patta. It is stated that this Court, by its order dated 21.01.2016, disposed of the writ petition directing the fourth respondent therein to consider the representation of the petitioners dated 11.12.2013. It is stated that the fifth respondent by his letter dated 07.07.2021 vide Ref.Na.Ka.No.1065/2021/Aa-1, called upon the petitioners to attend an enquiry on 14.07.2021 with original documents. It is the contention of the respondent that by referring the order of this Court in W.P.



No.2001 of 2016, denoted the subject land to be converted as Punjai Anadheenam. Hence, the petitioners filed this writ petition for grant of patta for the said property.

3. Learned counsel for the petitioners submitted that though this Court by order dated 21.01.2016 directed the respondents to consider the representation of the petitioners dated 11.12.2013, without complying with the order of this Court, the fifth respondent is trying to modify the classification of the land from private Punjai Ryotwari lands to Anadheenam, without any justification, legalization and validation. He further submitted that the said act of the fifth respondent is not only against the said order of this Court but also against the ownership of the petitioners' by violating Article 300 A of the Constitution of India.

4. Learned Government Advocate appearing for the respondents submitted that this Court may grant additional time for the fifth respondent to consider the petitioner's representation dated 11.12.2013, and the fifth respondent may dispose of the same as per the earlier order of this Court dated 21.01.2016.

5. Without expressing any opinion on the case of the petitioner, this Court directs the fifth respondent to dispose of the petitioner's representation dated 11.12.2013, in accordance with the earlier directions of this Court in order dated 21.01.2016 in W.P. No.2001 of 2016, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate of Tiruvallur,
Tiruvallur District,
Tamil Nadu - 602 001.

2. District Revenue Officer,
Collectorate of Tiruvallur,
Tiruvallur District,
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3. The Revenue Divisional Officer,
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5. The Tahsildar,
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602 001.

+1cc to Government Pleader SR.No.55056

W.P. No.22434 of 2021

SMI (CO)
GMY (04/02/2022)