



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.1535 OF 2022

S.Shanthi

... Petitioner

.Vs.

1. The District Collector,
The District Collector Office,
Tiruvannamalai.
2. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Cheyyar,
Tiruvannamalai District.
3. The Tahsildar,
O/o.The Tahsildar,
Vandavasi,
Tiruvannamalai District.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus, directing the respondents 1 and 2 herein to implement the order passed by the third respondent herein in Na.Ka.No.A2/6023/2019, dated 06.12.2019 and Na.Ka.No.A2/6023/2019 dated 06.02.2020 further direct the respondents herein to furnish the copy of the computerised Chitta details to the petitioner within such time frame fixed by this Court.

For Petitioner : M/s.Samanta and Ston

For Respondents : Mr.P.Balathandayutham
Special Government pleader



ORDER

This writ petition has been filed for issuance of Writ of mandamus, directing the respondents 1 and 2 herein to implement the order passed by the third respondent herein in Na.Ka.No.A2/6023/2019, dated 06.12.2019 and Na.Ka.No.A2/6023/2019 dated 06.02.2020 further direct the respondents herein to furnish the copy of the computerised Chitta details to the petitioner within such time frame fixed by this Court..

2. Heard, Ms.Samanta, learned counsel appearing for the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the grandfather of the petitioner purchased the property, comprised in survey No.174/1C1 to an extent of 96 cents situated at Kavedu Village, Vandavasi Taluk, Tiruvannamalai District, by a registered sale deed dated 06.05.1958 vide document No.1799 of 1958. After demise of her grandfather, the petitioner's father and father's brothers had been in possession and enjoyment of the subject property and they were also issued with joint patta under Patta No.384. Thereafter, all the brothers had entered into partition in respect of the subject property and the petitioner's father was allotted 32 cents of the property and accordingly, he was issued patta in Patta Nos.247 and 278.

4. However, the third respondent, by the proceedings dated 10.02.1984, the patta issued in favour of the petitioner's father and his brothers, stating that the subject land is classified as DC (Depressed Community) land. Therefore, the petitioner's husband filed an appeal before the third respondent and requested to restore the land to its original status and for updation in the UDR. On receipt of the same, the third respondent conducted enquiry and concluded that the land, measuring 39 Ares comprised in survey No.174/1C situated at Kavedu Village, Vandavasi Taluk, Tiruvannamalai District, was granted to the petitioner's father and ordered to restore the patta.

5. Further, by a communication dated 06.02.2020, the third respondent recommended to cancel the classification of 'Anadeenam' and to restore the patta in favour of the petitioner's father and his brothers in respect of the subject land. Even after receipt of the same, the second respondent did not pass any order.

6. Considering the above, the second respondent is directed to pass an order as recommended by the third respondent, after giving an opportunity of hearing to the petitioner and the



counter parties, if any, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Lpp

To

1. The District Collector,
The District Collector Office,
Tiruvannamalai.
2. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Cheyyar,
Tiruvannamalai District.
3. The Tahsildar,
O/o.The Tahsildar,
Vandavasi,
Tiruvannamalai District.

+1cc to M/s.Samanta and Ston, Advocate, S.R.No.7041
+1cc to the Government Pleader, S.R.No.7374

W.P.NO.1535 OF 2022

NR(CO)
PBS/28/02/2022