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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3036 of 2022

K.Anand

...Petitioner

Vs.

1.The Tahsildar,
Maduravoyal Taluk,
Chennai District.

2.The Competent Authority and
Special District Revenue Officer (L.A.),
National Highways Schemes
Kancheepuram & Thiruvallur Districts,
Collectorate, Kancheepuram.

3.The District Collector,
Thiruvallur District.
Thiruvallur.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to make necessary corrections in the revenue records of the respondents and issue patta with the proper assignment of survey number to the petitioner based on the representation of the petitioner dated 16.10.2021.

For Petitioner	: Mr.R.Saravanakumar
For Respondents	: Mr.G.Nanmaran Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to make necessary corrections in the revenue records of the respondents and issue patta with the proper assignment of survey number to the petitioner based on the representation of the petitioner dated 16.10.2021.



2. The case of the petitioner is that originally the land in S.Nos.31/5A and 31/5B, measuring an extent of 48 cents, situated at Sivaboodham Village belonged to one Mrs. Rajeswari. In the year 2002, for the purpose of Highway Extension, a part of above said land measuring an extent of 22 cents out of the 48 cents, was acquired by the 2nd respondent. While so, in the year 2004, the petitioner had purchased the remaining part of the land measuring an extent of 26 cents from the above said Mrs. Rajeswari through a Sale Deed dated 02.07.2004 vide Doc.No.4386 of 2004. After the process of acquisition, the land holding Survey Number 31/5B was subdivided by the respondents into 31/5B1 and 31/5B2. Thereafter, the petitioner's land was allotted with Survey No.31/5B1 and the acquired land was allotted in Survey No.31/5B2 by the 2nd respondent. Thereafter, in the year 2016, the petitioner applied for patta before the 1st respondent for his land, then the petitioner came to know that the Survey Number has been mentioned as 31/5B2 for petitioner's land instead of 31/5B1 in the records of the 1st respondent. It is pertinent to note that there is grave contradiction in the records of the 1st respondent and the 2nd respondent. Therefore, the petitioner had made a several representations dated 22.02.2016, 06.05.2018 and 16.10.2021 before the 1st respondent to make necessary corrections in the revenue record and issue patta with the proper assignment of survey number. As the said representations made by the petitioner has evoked no response, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 16.10.2021 and pass orders on the same within a particular time that may be fixed by this Court.

4. The learned Special Government Pleader for the respondents has no serious objections for the said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's representation dated 16.10.2021 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. Accordingly this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

jd/nh
To

- 1.The District Collector,
Thiruvallur District.
Thiruvallur.
- 2.The Tahsildar,
Maduravoyal Taluk,
Chennai District.
- 3.The Competent Authority and
Special District Revenue Officer (L.A.),
National Highways Schemes
Kancheepuram & Thiruvallur Districts,
Collectorate, Kancheepuram.

+1 CC to Mr.R.Saravanakumar, Advocate sr 11329
+1 CC to The Government Pleader sr 11593.

W.P.No.3036 of 2022

JPII (CO)
SP(18/03/2022)