



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.10213 of 2021

K.Ramappa

... Petitioner

vs.

1.The District Revenue Officer,
Krishnagiri - 635 115,
Krishnagiri District.

2.The Tahsildar,
Taluk Office,
Shoolagiri - 635 117.
Krishnagiri District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of 1st Respondent issued in Pa.Mu.No.13401/2019/J2 dated 27.02.2021 and quash the same and consequently direct the 1st Respondent to rectify the errors crept in, in the Revenue Records in respect of lands comprised in Survey Nos.115/1 measuring an extent of 0.76 Acres and 115/2 measuring an extent of 0.09 Acres situated at Thiyanadurgam Village, Shoolagiri Taluk, Krishnagiri District and issue computerized patta and Chitta to the Petitioner within the time to be stipulated by this Court.

For Petitioner : Mr.T.Vedi

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent issued in Pa.Mu.No.13401/2019/J2 dated 27.02.2021 and quash the same and consequently, direct the 1st respondent to rectify the errors crept in, in the Revenue Records in respect of lands comprised in Survey Nos.115/1 measuring to an extent of 0.76 Acres and 115/2 measuring to an extent of 0.09 Acres situated at Thiyanadurgam Village, Shoolagiri Taluk, Krishnagiri District and issue Computerized Patta and Chitta to the petitioner, within the time to be stipulated by this Court.



2. The case of the petitioner is that the land comprised in S.No.115/1 ad-measuring to an extent of 0.76 acres and the land comprised in S.No.115/2 ad-measuring to an extent of 0.09 acres situated at Tiyananadurgam Village, Hosur Taluk, Krishnagiri District, originally belong to one R.Varadharajan. The petitioner had purchased the said properties from the said R.Varadharajan by the sale deed dated 18.10.2012 registered vide Document No.2115/2012. Even before his purchase, his predecessors-in-title purchased the subject lands by the sale deeds dated 08.07.1955 registered vide Document Nos.1781/1955 and 1783/1955. Thereafter, the entire revenue records were mutated in the name of said R.Varadharajan and he was also issued patta under Patta No.1108. After purchase of the said properties, the revenue records were mutated in the name of the petitioner and he was issued patta under Patta No.165. These mutations were taken place prior to Updating Registry (UDR) and all the revenue records were mutated in favour of the petitioner. However, without any notice to the petitioner and without any enquiry, the subject lands were classified as 'Anadeenam', 'Podugal' or Assessed Waste Dry and Poramboke respectively in the Government revenue records. Therefore, the petitioner submitted application to rectify the mistake and for re-classification. The said application was rejected by the 1st respondent and aggrieved by the same, the present writ petition.

3. On perusal of the counter affidavit dated 02.09.2021 filed by the 1st respondent, revealed that the subject lands were classified as 'Anadeenam' or 'Podugal' in the Government records. After the Updating Registry Scheme, the said lands were recorded as 'Anadeenam' or 'Podugal' and Poramboke in the Updating Registry Scheme 'A' Register. Thereafter, without any orders the petitioner's predecessor name had been incorporated in the records. Thereafter, several sale transactions have been taken place in respect of the subject properties. Further, revealed that there are no relevant entries or records to establish the petitioner's claim. The subject lands are situated 60 km from the Bangalore city of Karnataka State. The value of the subject lands are very high and in order to grab the valuable Government land, the petitioner sought for re-classification of the subject lands from Anadeenam to Patta Land.

4. On perusal of the records, would clearly show that the petitioner's predecessor viz., R.Varadharajan was issued patta and all the revenue records were mutated in his favour. Thereafter, the petitioner purchased the subject properties by the registered sale deed for valid sale consideration and the petitioner was also issued patta. During Updating Registry Scheme, the subject lands were wrongly classified as 'Anadeenam'



or 'Podugal' in the Government records. That apart, the 1st respondent did not state any valid reason for classifying the patta lands as 'Anadeenam' or 'Podugal' and Poramboke, despite the computerized patta being issued in the names of the petitioner and his predecessor.

5. In view of the above, the order impugned in this writ petition cannot be sustained and it is liable to be quashed. Accordingly, the impugned order passed by the 1st respondent in Pa.Mu.No.13401/2019/J2, dated 27.02.2021 is quashed. The 1st respondent is directed to rectify the errors crept in, in the revenue records in respect of the subject lands and issue Computerized Patta and Chitta in favour of the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is allowed. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Revenue Officer,
Krishnagiri - 635 115,
Krishnagiri District.

2.The Tahsildar,
Taluk Office,
Shoolagiri - 635 117.
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.2297
+1cc to the Government Pleader, S.R.No.1954

W.P.No.10213 of 2021

PL (CO)
SB(07/02/2022)