



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11141 of 2022

Rajammal

...Petitioner

Vs.

1. The District Collector,
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District, Krishnagiri.
3. The Revenue Divisional Officer,
Krishnagiri District, Krishnagiri.
4. The Tahsildhar,
Krishnagiri Taluk, Krishnagiri District.
5. Annamalai
6. Govindan
7. Marimuthu

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose the pending proceeding in O.MU.No.12334/2019/J1 dated 25.06.2019, based on the petitioner's representation dated 29.03.2019, to rectify the error committed by the Revenue Authorities while UDR and made correction in the revenue records of petitioner's land situated at Krishnagiri District, Kaveripattinam Sub-Registry, Krishnagiri Taluk, Bannihalli Village in Survey No.1098 measuring an extent of 60 cents out of 1.38 Acres, and issue patta in favour of the petitioner with in a period fixed by this Hon'ble Court.

For Petitioner : Mr.E.Balamurugan

For Respondents: Ms.Akila Rajendran, GA, for R1 to R4



O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to dispose of the pending proceeding in O.MU.No.12334/2019/J1 dated 25.06.2019, based on the petitioner's representation dated 29.03.2019 and a consequential direction to rectify the error in the revenue records of the petitioner's land and issue patta in her favour.

2. Learned Government Advocate takes notice on behalf of the respondents 1 to 4. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. Since no adverse orders have been passed against the private respondents, notice to the private respondents is dispensed with.

4. The case of the petitioner is that, she claims to be the owner of the property comprised in S.No.1098, measuring an extent of 60 cents out of 1.38 Acres, situated at Krishnagiri District, Kaveripattinam Sub-Registry, Krishnagiri Taluk, Bannihalli Village and the same was purchased by her from one Kannupillai Ammal, vide Sale deed dated 10.04.1989 in document No.313/1989. On verification, the petitioner came to know that during the UDR Scheme, Joint Patta in Patta No.109 which stood in the name of the petitioner's predecessors was wrongly cancelled by the revenue officials without any proper notice and without conducting enquiry and subsequently subdivided the patta in the name of the private respondents. Immediately thereafter, the petitioner made a representation dated 06.11.2017 before the 1st respondent on a public grievance day requesting to conduct enquiry and rectify the error committed in the revenue records in respect of the petitioner's property and issue patta in her favour. Thereafter, the said petition / representation was forwarded to the 4th respondent by the 3rd respondent, vide proceedings dated 15.11.2017, however, no orders have been passed on the said petition / representation dated 06.11.2017.

5. Whiles, the 1st respondent, vide proceedings dated 29.11.2017 forwarded the said petition dated 06.11.2017 to 3rd respondent, however, no action has been initiated thereafter. Aggrieved by the same, the petitioner made another representation dated 29.03.2019 before the 2nd respondent and the same was forwarded to the 4th respondent, vide proceedings of the 2nd respondent dated 25.06.2019 in O.Mu.No.12334/2019/J1, directing the 4th respondent to conduct field survey and send the report for further action, however, till date, the same was



not complied with by the 4th respondent. Hence, this Writ petition is filed.

6. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to conclude the pending proceeding in O.MU.No.12334/2019/J1 dated 25.06.2019, in the light of the petitioner's representation dated 29.03.2019, rectify the error in the revenue records in respect of the petitioner's land and issue patta in her favour as expeditiously as possible.

7. Learned Government Advocate appearing on behalf of the respondents 1 to 4 submitted that, already the 4th respondent, vide proceedings dated 27.08.2018 in O.Mu.9070/2018/Aa1 directed the Revenue Inspector to conduct enquiry and send the report regarding the same. Hence, he submitted that, the proceedings initiated by the 4th respondent in O.Mu.9070/2018/Aa1 dated 27.08.2018, will be concluded and appropriate orders will be passed in accordance with law within a time that may be stipulated by this Court.

8. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs, the 4th respondent to conclude the proceedings dated 27.08.2018 in O.Mu.9070/2018/Aa1 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner as well as the private respondents.

9. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

skt

To

1. The District Collector,
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District, Krishnagiri.



3. The Revenue Divisional Officer,
Krishnagiri District, Krishnagiri.

4. The Tahsildhar,
Krishnagiri Taluk, Krishnagiri District.

+2ccs to Mr.E.Balamurugan, Advocate, S.R.No.32136

+1cc to the Government Pleader, S.R.No.33042

W.P.No.11141 of 2022

KV(CO)
UMA(17/06/2022)