



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.14780 of 2022

and

W.M.P.No.13972 of 2022

Chandrasekar

... Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai 600 009.

2. The District Collector,
Chennai District,
District Collectorate,
Rajaji Salai, Chennai 600 001.

3. The Tahsildar,
Ambattur Taluk,
Thiruvallur High Road,
Gandhi Nagar,
Ambattur, Chennai 600 053.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to rectify the erroneous classification of land caused in the revenue records during town survey proceedings relating to Survey No.65, and its sub division No.65/1A/17 Korattur Village, Ambattur Taluk, formerly Saidapet Taluk, and re-classify the said land as Ryotwari land in the official website of the revenue department by acting upon the proceedings dated 06.09.2019 Ref.No.1253/2019/C1 issued by the 3rd respondent and grant and transfer the patta in the name of the petitioner in respect of her property viz. all that plot of land measuring 2115 sq.ft. bearing Plot No.9, Sri Venkateswara Nagar, comprised in Survey No.65(P) subsequent survey No.65/1A/17, covered in old patta No.4437 issued by Dy.Tahsildar, Saidapet, Korattur Village, Ambattur Taluk within a time stipulated by this Court.

For Petitioner : M/S.S.Thankasivan

For Respondents : Mr.A.Anandan
Government Advocate



ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 & 2 to rectify the erroneous classification of land caused in the revenue records during town survey proceedings relating to Survey No.65, and its sub division No.65/1A/17 Korattur Village, Ambattur Taluk, formerly Saidapet Taluk, and re-classify the said land as Ryotwari land in the official website of the revenue department by acting upon the proceedings dated 06.09.2019 Ref.No.1253/2019/C1 issued by the 3rd respondent and grant and transfer the patta in the name of the petitioner in respect of his property viz. all that plot of land measuring 2115 sq.ft. bearing Plot No.9, Sri Venkateswara Nagar, comprised in Survey No.65(P) subsequent survey No.65/1A/17, covered in old patta No.4437 issued by Dy.Tahsildar, Saidapet, Korattur Village, Ambattur Taluk within a time stipulated by this Court.

2. The case of the petitioner is that he is the owner of the aforesaid property, which was registered under sale deed, dated 20.10.1989 vide Document No.6239 of 1989, on the file of the Sub Registrar, Anna Nagar. Subsequent to the purchase of the aforesaid property, the Patta was issued by the Deputy Tahsildar, Saidapet, in favour of the petitioner. While so, the petitioner approached the third respondent for issuance of computerised patta. The petitioner came to know, during the town survey proceedings, the third respondent/Tahsildar has wrongly classified the aforesaid land as Government lands. After noticing the same, the third respondent/Tahsildar vide his proceedings dated 06.09.2019 has requested the second respondent/District Collector to re-classify the said land from Government poramboke to Ryotwari land. Since, the same has not yet been considered, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that it would suffice, if this Court, issues direction to the first and second respondents to pass orders on the communication dated 06.09.2019 of the third respondent within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection 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 first and second respondents to pass orders on the communication dated 06.09.2019 of the third respondent on merits and in accordance with law, within a period of twelve



weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner and other aggrieved persons, if any.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

jd

To

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai 600 009.
2. The District Collector,
Chennai District,
District Collectorate,
Rajaji Salai, Chennai 600 001.
3. The Tahsildar,
Ambattur Taluk,
Thiruvallur High Road,
Gandhi Nagar,
Ambattur, Chennai 600 053.

+1cc to the Government Pleader, S.R.No.36585

W.P. No.14780 of 2022
and
W.M.P.No.13972 of 2022

SSD(CO)
UMA(06/07/2022)