

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.14952 of 2022
and
W.M.P.No.14177 of 2022

J.Indirani

...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

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 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.65/1A3 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 computerized the patta in the name of the petitioner in respect of her property viz. Plot Nos.11 and 14 totally measuring an extent of 3600 sq. ft. Sri Venkateswara Nagar, comprised in Survey No.65(P) subsequent survey No.65/1A3, Korattur Village, Ambattur Taluk, covered in Patta No.4265 issued by Dy.Tahsildar, Saidapet in the name of the petitioner within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Thanka Sivan
For Respondents : Mrs.Akila Rajendran
Government Advocate

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 and 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.65/1A3 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 computerized patta in favour of the petitioner in respect of her property viz. Plot Nos.11 and 14 totally measuring an extent of 3600 sq. ft. Sri Venkateswara Nagar, comprised in Survey No.65(P) subsequent survey No.65/1A3, Korattur Village, Ambattur Taluk, covered in Patta No.4265 issued by Deputy Tahsildar, Saidapet in favour of the petitioner within a time to be stipulated by this Court.

2. The case of the petitioner is that she is the owner of the land in above said survey number situated in Korattur Village. Thereafter patta was issued in favour of the petitioner. Since the subject land is a Ryotwari patta land, the petitioner approached the third respondent to issue computerized patta in her favour. Thereafter, the petitioner came to know that several survey numbers in the said village have been wrongly classified as Government lands under the jurisdiction of the third respondent. The third respondent vide letter dated 06.09.2019, requested the second respondent / District Collector to rectify the wrong classification of lands in the official website of the Revenue Department and restore the classification of the same as Ryotwari lands. Since the said letter dated 06.09.2019 was not considered by the second respondent, the petitioner has made a representation dated 02.12.2019, before the Revenue Divisional Officer for issuance of computerized patta and for re-classification of the above said land into Ryotwari land. Due to the pendency of the same, the petitioner has filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the second respondent to consider the letter forwarded by third respondent / Tahsildar dated 06.09.2019, and dispose of the same within a time frame to be fixed by this Court.

4. The learned Government Advocate appearing for respondents has no objection for the said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the second respondent / District Collector to consider the letter forwarded by the third respondent / Tahsildar dated 06.09.2019 and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, the Writ Petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

RAP

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 Mr.S.Thanka Sivan, Advocate, S.R.No.36871

+1cc to the Government Pleader, S.R.No.36959

W.P.No.14952 of 2022

AJB[co]
NSK/13/07/2022