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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P.No.27399 of 2022

H.B.Abdulkayum

... Petitioner

Vs.

1. The Commissioner of Land Administration/  
Additional Chief Secretary to Government,  
Ezhilagam, Chepauk,  
Chennai 600 005.
2. The District Revenue Officer,  
Collector Office,  
Krishnagiri 635 115.
3. The Revenue Divisional Officer,  
Hosur 635 109,  
Krishnagiri District.
4. The Tahsildar,  
Taluk Office,  
Shoolagiri 635 117,  
Krishnagiri District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 02.04.2021 for rectification of defects in the revenue records with regard to erroneous classification of lands measuring about 0.54.5 Hectares (1.35 acres) in Survey No.78/2 of Enusonai Village, Krishnagiri District based on the report of 4th respondent vide Na.Ka.4510/2016/A2 dated 30.12.2016 within the time to



be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar  
For Respondents : Mr.T.K.Saravanan  
Government Advocate

### **ORDER**

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 02.04.2021 for rectification of defects in the Revenue Records with regard to erroneous classification of lands measuring an extent of 0.54.5 Hectares (1.35 acres) in Survey No.78/2 of Enusonai Village, Krishnagiri District, based on the report of 4th respondent, vide Na.Ka.4510/2016/A2 dated 30.12.2016 within the time that may be stipulated by this Court.

2. The case of the petitioner is that he had purchased the aforesaid property and also other lands from one Mr.S.S.Sampath Kumar, under a Sale Deed, dated 06.10.1990, registered as Doc.No.701/1990 on the file of Sub-Registrar Office, Shoolagiri. Subsequent to the purchase of the aforesaid property, the petitioner is in peaceful possession and enjoyment of the same. Further, the Revenue Records have also been mutated in the name of the petitioner, vide Patta No.7. During UDR



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scheme proceedings, the Chitta and Adangal extract were also issued in the name of the petitioner relating to S.No.78/2. While computerizing the records in the Revenue Department, the said land was wrongly classified as "Anadhenam" in village "A" register. Therefore, the petitioner made a representation dated 26.09.2016 before the jurisdictional District Collector during Public Grievance Day, pursuant to which, the Tahsildar concerned conducted an inquiry and found that the land in Survey No.78/2 covered by Patta No.7 was wrongly classified as "Anadhenam" and the same can be re-classified as Patta land in the name of the petitioner. Further, the fourth respondent/Tahsildar has also sent a report vide Na.Ka.4510/2016/A2 dated 30.12.2016 to the second respondent/District Revenue Officer. However, the second respondent has not passed any orders for rectification of error in classification of the land. The grievance of the petitioner is that, unless the wrong classification is rectified, the petitioner will not be in a position to avail loan to develop his land. Therefore, the petitioner was constrained to file a Writ Petition before this Court in W.P.No.2061 of 2021, and this Court, by order dated 04.02.2021 disposed of the said Writ Petition, with a direction to the petitioner to approach the first respondent, who is the competent authority for correcting the error with regard to the land that was wrongly classified.



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Accordingly, the petitioner made a representation dated 02.04.2021 before the respondents herein, seeking to rectify the mistake that had crept in, in the Revenue Records relating to S.No.78/2. Since the said representation was not considered by the respondents, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent and second respondents to consider the petitioner's representation dated 02.04.2021 and pass orders on the same 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 above facts and circumstances of the case, this Court, without expressing any opinion on the merits of the case, directs the first and second respondents to consider the petitioner's representation dated 02.04.2021 based on the recommendation made by the fourth respondent dated 30.12.2016 and pass appropriate orders on merits and



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in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observations and directions, this Writ Petition is disposed of. No costs.

**10.11.2022**

Speaking Order : Yes/ No

Internet: Yes/ No

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To

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**M.DHANDAPANI, J.**

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