



W.P.No.34603 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34603 of 2022

Thimmarayappanagiri

.... Petitioner

-Vs-

1.The District Collector
Krishnagiri.

2.The Tahsildar
Shoolagiri,
Krishnagiri District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to cancel the nature of property from Anaadheenam and grant patta for the land in Survey No.154/5 measuring an extent of 2.25 acres in Aathimugam Village, Soolagiri, Krishnagiri District based on the representation dated 29.08.2022.

For Petitioner : Ms.R.Poornima
For Respondents : Mrs.Akila Rajendran
Government Advocate

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents to cancel the nature of property from Anaadheenam and grant patta



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for the land in Survey No.154/5 measuring an extent of 2.25 acres in Aathimugam Village, Soolagiri, Krishnagiri District based on the representation dated 29.08.2022.

2. In respect of the land at S.No.154/5, measuring an extent of 2.25 acres in Aathimugam Village, Soolagiri, Krishnagiri District, it is the claim of the petitioner that the petitioner's father, after purchasing the property sometime in 1941 enjoyed the property till his life time and thereafter, after his demise the petitioner inherited the property.

3. In the year 1996, the petitioner has given an application to get patta in the name of the petitioner. However, one Lakshmiah, claiming right over the said property filed a suit before the Civil Court and the said suit was decided in favour of the petitioner, against which the said Lakshmiah seems to have filed first appeal as well as second appeal till this Court unsuccessfully and the judgment in S.A.No.1570 of 2003 was passed by this Court on 14.01.2018.

4. In view of the consecutive civil court decrees passed in favour of the petitioner, the petitioner's right over the property since has been confirmed, based on which the petitioner wants to change the wrong entry made in respect of the said land in the revenue records ie., 'A' register and accordingly he seeks



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for patta and in this regard he has made a representation on 29.08.2022 to the 2nd respondent and in order to consider the same the present writ petition has been filed.

5. Heard the learned counsel for the petitioner and Mrs.Akila Rajendran learned Government Advocate for the respondents.

6. Learned Government Advocate would submit that, in view of the civil court decrees which have been shown as document reiterating the position of the petitioner that he is the owner of the property in question, based on which the representation of the petitioner dated 29.08.2022 would be considered and decided on merits and in accordance with law within a time frame that may be stipulated by this Court.

7. Considering the said submission made by the learned Government Advocate and taking note of the aforesaid factual matrix of the case, this Court is inclined to dispose of this writ petition with the following order.

That there shall be a direction to the 2nd respondent to pass orders on the representation of the petitioner dated 29.08.2022 on merits and in accordance with law taking into account the civil court decrees referred to above within a period of eight weeks from the date of receipt of a copy of this order."



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8. With the above directions, this writ petition is disposed of. No costs.

22.12.2022

Index : Yes/No
Internet : Yes/No
KST

To

- 1.The District Collector
Krishnagiri.
- 2.The Tahsildar
Shoolagiri,
Krishnagiri District.

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