



W.P.(MD)No.13446 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13446 of 2022

S.Senthil Kumar

... Petitioner

Vs.

1.The Director of Survey and Land Records,
O/o. the Director of Survey and Land Records,
Survey House, Chepauk,
Chennai-600 005.

2.The District Collector,
Collectorate,
Virudhunagar District.

3.The District Revenue Officer,
Collectorate,
Virudhunagar District.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai Taluk,
Virudhunagar District.

5.The Tahsildar,
Aruppukottai Taluk office,
Virudhunagar District.

... Respondents



W.P.(MD)No.13446 of 2022

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to rectify and mutate the petitioner's dwelling house property in Survey No. 161/20 in an extent of 0.01.0 ares (2 ½ cents) at Mandapasalai Village, Aruppukottai Taluk, Virudhunagar District as patta land (patta No.1944) instead of Government Poramboke Orphaned Land (அரசு புறம்போக்கு அனாதீனம் நிலம்) in the revenue records of UDR and SLR based on the settlement patta (ஆணை எண்.ஆ3/18/2006) issued by the fifth respondent to the petitioner dated 20.06.2006 within time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner was granted assignment of the petition mentioned land in June 2006. Thereafter, the petitioner obtained building plan approval and also put up a dwelling house in the year 2013. The patta stands in the name of the petitioner. However, in UDR as well as in SLR, the land continues to be shown as Anadeenam. Seeking release of the petition mentioned land from such classification and for classifying it as a patta land, the present writ petition has been filed.



W.P.(MD)No.13446 of 2022

WEB COPY

3. When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents produced a copy of the circular bearing Re.K8/36931/2019, dated 31.03.2022 issued by the Director of Survey and Settlement Survey House, Chepauk, Chennai.

The said circular reads as under:-

Re. K8/36931/2019
Dated 31.03.2022

O/o. Director of Survey and Settlement
Survey House, Chepauk, Chennai-5

CIRCULAR

- Sub: Lands – as Government lands recorded as ‘Anadeenam’ – Blocked in online records several requests received for releasing the blocks – procedures to be followed
- Ref: (1) Minutes of the Meeting conducted by Additional Chief Secretary/ Commissioner of Land Administration, dated 14.11.2019, 09.12.201 and 11.12.2019
(2) Connected records

&&&

Vide the reference 1st cited, as per the decision taken in the said meetings, the land recorded as Government Anadheenam in the remarks column of online Tamil Nilam ‘A’ Register had been blocked by NIC and NLRMP section (survey wing) of this Directorate to prevent any fraudulent transaction of ‘Anadheenam’ Lands.

Now proposals are being received from various districts



W.P.(MD)No.13446 of 2022

requesting to release 'block' in the Online Tamil Nilam land on various grounds. The need to remove the 'block' may arise in following types of cases:-

- (i) Lands which are registered as Ryotwari patta lands in UDR A-Register and Pre-UDR Settlement registers and recorded erroneously as 'Andeenam' in online Tamil Nilam records and hence is blocked.
- (ii) Land registered as 'Anandeenam' in UDR 'A' register as well as Pre-UDR Settlement register and land assignment would have been given in the said land during the 70/80/90s [or an other decade] by various authorities. However necessary changes/sub-divisions are not carried out in the UDR A Register and hence appears as 'Anadeenam' in the online Tamil Nilam and hence got blocked.
- (iii) Lands recorded as 'Anadeenam' in the UDR A Register and has been transferred to various Departments/PSUs by necessary Government Orders. In such cases, necessary changes could not be carried out in the name of the concerned Department/Institutions, since the said survey numbers are blocked in Tamil Nilam.
- (iv) Land registered as 'Anandeenam' for which house site assignment is given at the district level, after converting the said land as 'Natham' by virtue of necessary orders either from RDOs/Collector's/Commissioner of Land Administration (CLA).
- (v) Other cases

In all the above cases to remove the necessary 'block' in online



W.P.(MD)No.13446 of 2022

Tamil Nilam, the below explained steps have to be followed by the District Administration.

- (1) In the 1st instance said above, the district authorities after carefully examining the UDR A-Register and Pre-UDR Settlement registers, if they are convinced that it is essentially Ryotwari patta land which is erroneously recorded as 'Anadeenam' in online Tamil Nilam while the data was moved to computerized format from physical manuscript registers, the district authorities should send a proposal through the District Collector to the DOSS for recommending removal of the block. This proposal will be examined and forwarded to the Commissioner of Land Administration for necessary orders. After necessary proceedings are issued by the CLA, the copy of the proceedings will be sent to the concerned District Collector.

The District authorities should upload the CLA's proceedings in the online workflow through Patta Assistant login and recommend to CLA through DOSS.

1st Step:-

Petitioner Application by RDO	Proposal through Tahsildar	Recommended by DR O
CLA	DOSS	Collector
Approval	Proceedings issued to 'Unblock'	

2nd Step:-

CLA proceedings



W.P.(MD)No.13446 of 2022

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received in District	Upload in workflow	By concerned Taluk office	Patta Assistant Login
CLA (Approved)	DOSS (Approved)	RDO	Tahsildar

Collector
(Approved by Digital
Signature)

The Block gets removed

(2) For the 2nd instance, after due verification the Collector has to attach the assignment proceedings and send a proposal recommending to remove the block

This proposal after due examination will be forwarded to CLA for necessary orders to remove block. After the orders by CLA, step 2 as said above should be followed.

(3) For instances 3 & 4, the Collector's need not send any proposal seeking orders to remove block, instead, after uploading the necessary Government Orders or proceedings of the District Collector for converting Anadeenam to Natham, the Collector should send a note to remove 'block' citing the necessary G.O/proceedings of the concerned authority to remove block.

All the District Collectors are requested to sensitize the field officials to follow the above said procedures in all cases where the block for Anadeenam entries have to be removed in online Tamil Nilam.

Sd/- Dr. T. G.Vinay



W.P.(MD)No.13446 of 2022

Director of Survey and
Settlement

To:-

All District Collectors

Copy to:-

1. The Commissioner of Land Administration,
2. All District Revenue Officers.

II Forwarded by order II

4. The case on hand falls under the category II. Therefore, the second respondent is directed to attach the assignment proceedings and send a proposal recommending to remove the block to the first respondent within a period of four weeks from the date of receipt of a copy of this order. Since in this case the facts are quite clear, the first respondent is directed to issue necessary order for removing the block. That shall be done within a period of three weeks thereafter. Once the Commissioner of Land Administration issue such an order, the block in question shall stand removed. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this



W.P.(MD)No.13446 of 2022

order.

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5. The Writ Petition is allowed on these terms. No costs.

11.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN,J.

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- 4.The Revenue Divisional Officer,
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W.P.(MD)No.13446 of 2022

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W.P.(MD)No.13446 of 2022

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