



For Petitioners : Mr.N.Baaskaran

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

2. Mr.V.Veluchamy, learned Additional Government Pleader, takes notice



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for the respondents. By consent of both sides counsel, this Writ Petition is taken up for passing orders at the stage of admission itself.

3. It is averred in the writ petition that the land measuring an extent of 101.23 acres in Survey No.168/B of No.52, Pattipulam Village, Thiruporur Taluk, Chengalpattu District originally belonged to 13 persons. As per the survey and settlement register for the year 1877, joint patta No.27 for the above lands measuring an extent of 101.23 acres in Survey No,168/B of Pattipulam Village, Thiruporur Taluk, Chengalpattu District, stood in the name of Manika Gramani and 12 others. Out of the said persons, Arunachala Gramani, 8th person who is the 1st petitioner's grandfather was in possession and enjoyment of the said lands.

4. The petitioner further submits that in 1911, in the resurvey and resettlement, joint patta No.27 was issued in the names of 1) Kumarasamy and 10 others for the entire extent of 407.16 acres of land in Survey No.168 of Pattipulam. In the above said patta no.27, the 11th person Thiru.Arunachala



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Gramani son of Sellappa Gramani is petitioner's great grandfather and as such petitioner's grandfather had the title, possession and interest in the above said lands for an extent of 35.70 acres of land.

5. The petitioner further submits that the names of Rajagopal Mudali and Alavandar have been included in the Resurvey and Resettlement Register in the year 1911, which were not found in the joint patta No.27 issued under the Survey and Settlement Register of the year 1877. He also stated that the name of Alavandar, who had no right over the property of 101.23 acres of land in Survey No.168/B has been included by mistake in the Resurvey and Resettlement Register for the year 1911 for the Survey No.168, Pattipullam Village.

6. As per the revenue records in the year 1972, a separate patta no.32 was given in the name of Alavandar and the entire extent of 407.16 acres of land in Survey No.168 continued in the same join Patta No.27 in the name of 32 persons. According to the petitioners, the 1st petitioner's grant father had the title, possession and interest upon the said property for the extent of 35.70 acres.



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It is submitted by the 1st petitioner that even though Alavandar had no right or title to the lands in Survey No.168/B of Pattipulam Village, based on the wrong entry made in the Revenue Register and joint patta No.32 “Alavandar Charity Trust” started interfering with their possession in the land in S.No.168/B off Pattipulam Village.

7. The 1st petitioner would submit that he sent a representation to the Sub Collector, Chengalpattu dated 09.11.1990 and to Tahsildar, Chengalpattu on 4.12.1990 to conduct an enquiry into the matter and issue patta for the lands measuring 101.23 acres in S.No.168/B in the name of legal heirs of Arunachala Gramani and others.

8. It is submitted that enquiry was conducted by the Tahsildar, Chengalpattu. Subsequently, enquiry was conducted by Revenue Divisional Officer, Chengalpattu. On 16.03.1992 another enquiry has also been conducted for patta transfer and 10 persons were enquired by the Tahsildar, Chengalpattu. The Tahsildar submitted a detailed report to the District Collector,



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Kancheepuram. Based on the report, the District Revenue Officer, addressed a letter to the Secretary to Government, Commercial Tax and HR & CE Department, Secretariat, Chennai-600 009 dated 08.10.1996. Subsequently, Tahsildar, Thiruporur, addressed a letter dated 09.12.2013 bearing No.3909/2013/B2 to the District Revenue Officer, Chengalpattu, through the RDO, Chengalpattu, stating that in the UDR records updated in the year 1985, names of the legal heirs of all the persons who had separate patta in the 1911 settlement patta No.27 had been entered in the UDR register. The RDO, Chengalpattu in his report to the Collector, Kancheepuram, on August 2014, directed that entire extent of lands measuring 407.16 acres in S.No.168 of Pattipullam village should be measured in order to ascertain the lands belonging to Alavandar Trust and the lands belonging to persons who got patta as per sale deeds and that after excluding the said lands, the remaining vacant lands should be ascertained etc.

9. The petitioner would also submit that by letter dated 15.07.2021 enquiry was called for and in the enquiry held on 23.07.2021, for transfer of



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patta in respect of their respective names, submissions were made, however, thereafter, there was no further progress in the matter. Therefore, the petitioner is said to have sent representations dated 20.07.2022, 29.10.2022, 15.12.2022 and 12.01.2023 to the Revenue Divisional Officer, Chengalpattu, seeking transfer of patta for the extent of 35.70 acres of land in S.No.168/B in the names of petitioners and other legal heirs of Arunachal Gramani. Since no orders have been passed, the petitioners approached this court for the relief of direction to the respondents to pass orders on the representation dated 12.01.2023.

10. Mr.V.Veluchamy, learned Additional Government Pleader would submit that eight weeks time limit may be given to the respondents 1 to 3 to dispose of the representation of the petitioners dated 12.01.2023.

11. Taking note of the facts of the case, relief sought for in this writ petition and the submission of the learned Additional Government Pleader who accepts notice on behalf of respondents 1 to 3, without going into the merits of the claim of the petitioners, this court directs the respondents 1 to 3 to consider



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the representation of the petitioners dated 12.01.2023 and also on hearing the concerned parties in detail, pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

12. This writ petition is disposed of with the above direction. No costs.

28.03.2023

nvsri

Note:Registry is directed to issue certified copy of this order, after the requisite Court Fee is paid for each of the petitioners.



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WEB COPY

To

1. The District Collector,
Chengalpattu, Chengalpattu District 603 001
2. The Revenue Divisional Officer,
Chengalpattu, Chengalpattu District 603 001
3. The Tahsildar,
Thiruporur Taluk Office,
Thiruporur, Chengalpattu District 603 001



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J.NISHA BANU, J.,

nvsri

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28.03.2023