



W.P.No.29824 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29824 of 2023
and
W.M.P.No.29429 of 2023

Krishnamoorthy

... Petitioner

versus

- 1.The Commissioner of Land Administration,
Chepauk,
Chennai -600 005.
- 2.The District Collector,
Krishnagiri District,
Krishnagiri.
- 3.The Additional Director,
Land Survey and Records Department,
Chepauk,
Chennai - 600 005.
- 4.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
- 5.The Revenue Divisional Officer,
Hosur, Krishnagiri District.

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6.The Sub Collector,
Hosur,
Krishnagiri District.

7.The Tahsildar,
Hosur Taluk,
Krishnagiri District.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to remove the erroneous entry of Land as "Mayanam" for Survey No.101/4 and remove the erroneous entry of Land "Anatheenam" for Survey No.101/6 and restore the Original Entry "PUNJAI Land" for both Survey No.101/4 and Survey No.101/6 situated at Dhinnapalli Village, Hosur Taluk, Krishnagiri District as per the original entry in the patta No.42 in the name of Beggliannaiya @ Beggliappa and issue rectified patta in their name by considering the petitioner's representation dated 23.05.2022.

For Petitioner : Mr.R.Jayaprakash
For Respondents : Mr.V.Velusamy
Additional Government Pleader

ORDER

Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage, itself.

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2. The petitioner seeks for a mandamus directing the first respondent to consider his representation dated 23.05.2022, wherein and whereby he sought for removal of erroneous entry of land as "Mayanam" for S.No.101/4 and for removal of erroneous entry of Land "Anatheenam" for S.No.101/6 and to restore the Original Entry of "PUNJAI Land" for both S.No.101/4 and S.No.101/6 situated at Dhinnapalli Village, Hosur Taluk, Krishnagiri District as per the original entry in the Patta No.42 in the name of Beggliannaiya @ Beggliappa and to issue rectified Patta in his name.

3. According to the petitioner, his great grandfather one Beggliannaiya @ Beggliappa owned 3 Acre 10 Cents in S.No.101/3, 0 Acre 60 Cents in S.No.101/4, 3 Acre 25 cents in S.No.101/5 and 0 Acre 50 cents in S.No.101/6 and Patta No.42 for the properties stood in his name. The petitioner's great grandfather, his grandfather and his father were in peaceful possession and enjoyment of the subject properties. After their demise the petitioner and other legal heirs are in peaceful possession and enjoyment of the subject properties. During the year 1972, the entry/classification for the land in S.No.101/4 was wrongly entered as "Mayanam" instead of "Punjai



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Land" in the "A" Register and the entry/classification for the land in S.No.101/6 was wrongly entered as "Anadheenam" instead of "Punjai Land" in the "A" register. Hence, the petitioner submitted applications requesting them to rectify errors in the "A" Register, but there was no response from the respondents. Further, as per the instructions of the fourth respondent, he submitted on-line application dated 09.02.2023 to the first respondent, however, the same was rejected. Thereafter, the petitioner has given a representation to the first respondent dated 23.05.2022 requesting him to rectify the mistake and issue Patta for the subject properties. Thus, the first respondent forwarded the said representation to the second respondent and directed him to take necessary action, but the second respondent has not considered yet. Hence, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that it would suffice if a direction is issued to the competent authority to consider the representation of the petitioner dated 23.05.2022.

5. The learned Additional Government Pleader appearing for the respondents submitted that during the year 1972, the subject properties



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were converted into burial ground and the same were continuing as burial ground.

6. On a perusal of the records, it is seen that from the year 1972, itself, the subject properties were converted as burial ground. Ever since they were continuing as burial ground. Neither the petitioner's grandfather nor his father made any objection to the same, however, now the petitioner sought to rectify the mistakes in the "A" Register and issue Patta for the subject property in his name.

7. Considering the facts and circumstances, this Court is of the opinion that the subject properties were already converted as burial ground and hence, there is no merit in the writ petition and the same is not maintainable.

8. In the light of the above, this writ petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner



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known to law. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.10.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

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P.VELMURUGAN, J.,

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