



WEB COPY



W.P. No. 19363 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No. 19363 of 2017

Smt. Chinnamma

... Petitioner

-VS-

1. The Commissioner of Land Administration
Chepauk, Chennai – 600 005.

2. The District Collector
Krishnagiri.

3. The District Revenue Officer
Krishnagiri District.

4. The Tahsildar
Hosur Taluk Office
Hosur, Krishnagiri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent relating to Pa.Mu.No.29075/2015/J2 dated 08.01.2016, quash the same and consequently, direct the respondents 2 to 4 to issue Patta to the petitioner in respect of the land to an extent of 2.87 acres comprised in Survey No.810, Onnalvadi Village, Hosur Taluk, Krishnagiri District, within the time to be stipulated.

For Petitioner : Mr. R.Bharath Kumar

For Respondents : Mr. P.Sanjay Gandhi
Government Advocate



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ORDER

WEB COPY The order dated 08.01.2016 passed by the District Collector, rejecting the request of the petitioner to grant patta is under challenge in the present writ petition.

2. The petitioner states that she is in possession and enjoyment of the subject property described in the present writ petition. Originally, the husband of the petitioner was in possession and after his demise, she is in possession. The petitioner approached for grant of patta and chitta. However, the authorities have not initiated any action. Thus, the petitioner filed W.P.No31176 of 2015, this Court passed an order, directing the respondents therein to dispose of the applications submitted by the writ petitioner.

3. Pursuant to the directions, the District Collector, Krishnagiri passed the impugned order in proceedings dated 08.01.2016, stating that the subject land in Survey No.810, Onnolvadi Village, Hosur Taluk, Krishnagiri District has been sub-divided as Survey No.810/1 with an extent of 0.99.0 hectares classified as Government Dry Podugal and Survey No.810/2 with an extent of 0.80.0 hectares classified as Ryotwari Dry Podugal in revenue records. Thus, the lands belonging to the State Government. The lands in Survey No.533 and



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811 of Onnalvadi village are not belonging to the petitioner's grandfather. This being the findings of the District Collector in the order impugned, the petitioner if at all claiming any title in respect of the lands in Survey No.533 & 811, she has to approach the competent Civil Court of law for the purpose of establishing her title. As far as the other Survey Numbers referred by the petitioners are concerned, the said lands are classified as Government Dry Podugal and Ryotwari Dry Podugal. Thus, the petitioner cannot seek any patta in respect of the Government lands. This being the factum established, the petitioner is at liberty to approach the competent Civil Court of law in respect of the properties belonging to her grand father in Survey No.533 and 811 of Onnalvadi Village. In respect of the Government properties, the petitioner cannot claim any patta, which was rightly rejected by the District Collector through the impugned order.

4. With these observations, the writ petition stands disposed of. No costs.

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kak/skr

Index : Yes

Speaking order



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To

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S.M.SUBRAMANIAM, J.

kak/skr

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