



W.P.No.3163 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.3163 of 2024
and W.M.P.No.3430 of 2024

1.Mathaiyan
2.Lakshmiammal
3.Parvathi

... Petitioners

Vs.

1. THE DISTRICT COLLECTOR
KRISHNAGIRI-635 001, KRISHNAGIRI DISTRICT.
2. THE REVENUE DIVISIONAL OFFICER
KRISHNAGIRI-635 001, KRISHNAGIRI DISTRICT.
3. THE TAHSILDAR
KRISHNAGIRI TALUK, KRISHNAGIRI-635 001
KRISHNAGIRI DISTRICT.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 herein to consider the representation of the petitioners dated 18.10.2023 requesting them to delete the wrong entry made in the revenue records with respect to the land measuring 1.09.0 hectares (2.69 acres) comprised in S.No. 705/3, Kothigutlapalli Village, Krishnagiri Taluk and District,



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as AD condition land.

For Petitioners : Mr.P.Mani

For Respondents : Mr.T.Aruk Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, to direct the respondents 1 and 2 herein to consider the representation of the petitioners dated 18.10.2023 requesting them to delete the wrong entry made in the revenue records with respect to the land measuring 1.09.0 hectares (2.69 acres) comprised in S.No. 705/3, Kothigutlapalli Village, Krishnagiri Taluk and District, as AD condition land.

2. It is the case of the petitioner that the land measuring 1.09.0 hectares (2.69 acres) comprised in S.No.705/3, Kothigutlapalli Village, Krishnagiri Taluk and District belongs to Muniyammal as per the registered gift deed dated 17.06.1973. The said Muniyammal and her children sold the subject land to the father of the 1st petitioner, viz.,



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Ramasamy and the husband of the 3rd petitioner viz., Krishnan, as per the

sale deed dated 14.02.1986 and the rectification deed dated 06.08.1998.

After the death of the said Ramasamy and Krishnan, the petitioners have

been in possession and enjoyment of the subject land measuring 1.09.0

hectares (2.69 acres) comprised in S.No.705/3, as their legal heirs.

3. While so, in the 'A' Register, the subject land has been recorded in the name of Avinjiyappan, the husband of Muniyammal, the vendor. Subsequent to the death of the said Ramasamy and Krishnan, the names of their respective wives viz., Lakshmi and Parvathi were recorded in the revenue records such as patta, chitta and adangal. Subsequently, when the petitioners requested the Village Administrative Officer, to issue chitta and adangal for availing crop loan, he refused to issue the same as if the said land is recorded as AD condition land. Hence the present Writ Petition.

4. The learned counsel for the petitioners would submit that the land was not classified as AD condition land. It is a private land belongs



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to the ancestors of the petitioners. However, in the revenue records, with respect to the subject land, wrong entry as AD condition land has been made. Thus, the wrong entry has to be rectified and the AD condition land has to be removed from the revenue records.

5. The learned Additional Government Pleader appearing for the respondents produced the concerned 'A' Register before this Court and he would submit that even in the 'A' register, from the year 1950, the subject land was classified as AD condition land. Therefore, the documents produced by the petitioners are not related to the subject land.

6. The learned counsel for the petitioners would submit that only the survey no. was wrongly mentioned in the sale deed executed by the petitioner's predecessor, whereas boundaries are one and the same. Therefore, the rectification deed was executed to correct the Survey No., however the respondents have not carried out necessary entries in their revenue records.



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7. Heard the learned counsel appearing for the petitioners as well as the learned Additional Government Pleader appearing for the respondents and also perused the material records of the case.

8. It is seen from the records of the 'A' Register, Adangal and also other revenue records, the subject land has been classified as AD condition land. Therefore, if at all the petitioners have got any grievance with regard to the title and interest over the property, they have to work out their remedy before the Civil Court.

9. In the result, this Writ Petition stands dismissed. No costs. The W.M.P.No.3430 of 2024 stands ordered, subject to payment of separate court fee by each of the petitioner.

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Index: Yes/No

Speaking order/Non-speaking order

Neutral citation : Yes/No



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P.VELMURUGAN, J.,

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To

1. THE DISTRICT COLLECTOR
KRISHNAGIRI-635 001, KRISHNAGIRI DISTRICT.

2. THE REVENUE DIVISIONAL OFFICER
KRISHNAGIRI-635 001, KRISHNAGIRI DISTRICT.

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