



WEB COPY



W.P.No.24997 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.24997 of 2024 and
W.M.P.Nos.27330, 27331, 27332 of 2024

K.Jayaprakash

..Petitioner

Vs.

1.The District Collector
1st floor, Collectorate
Nagapattinam
Nagapattinam District

2. The District Revenue Officer
Court compound, velippalayam
Nagapattinam
Nagapattinam District

3. The Revenue Divisional Officer
SH-23, Thiruthuraipoondi road,
Mayiladuthurai, Pattamangalam
Nagapattinam
Nagapattinam District.

4. The Tahsildar
Nagapattinam
Nagapattinam District

...Respondents



W.P.No.24997 of 2024.

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent dated 02.07.2024 in proceedings bearing in Na.Ka 3758 - 2024 - AA4 quash the same and consequently direct the respondents to transfer the patta in the petitioners name with respect to the property measuring an extent of 16771 sq.ft., comprised in T.S. No 340/2, situated in ward -4, Block -11, Ngapattinam Taluk Nagapattinam District within the time stipulated by this honble Court

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.U.Baranidaran
Additional Government Pleader

ORDER

Aggrieved by the order passed by the 2nd respondent negating the request of the petitioner seeking grant of patta by changing the classification of the property situated in Town Survey No.340/2 at Velippalayam Village, Nagapattinam Taluk, Nagapattinam District, the petitioner has come before this Court by way of this writ petition.



WEB COPY

2. According to the petitioner, he is the absolute owner of the property with an extent of 16,771 Sq.feet in T.S.No.340/2 having got the property under a registered will dated 17.08.1995 executed by his grand father one A.D.Jayaveerpandiyan. It is also asserted by the petitioner that he has produced the registered sale deed in the name of previous owners right from the year 1936 to establish his right over the property and the same has not been considered by the 2nd respondent. The request of the petitioner for grant of patta has been negated by the impugned order.

3. A perusal of the impugned order would suggest that land in Town Survey No.340/2 with an extent of 16,771 Sq.feet has been classified as “Sarkar Poramboke Chathiram” in the revenue records right from the year 1923. It is clearly observed by the 2nd respondent in the impugned order that the land with an extent of 4 acres 13,634 Sq.feet in T.S.No.340/1 classified as “Inam Punjai” and the patta had been transferred in favour of private parties and as on today the patta for the said property in T.S.No.340/1 stands in the name of the petitioner.



WEB COPY

4. As far as land in T.S.No.340/2 with an extent of 16,771 Sq.feet is concerned, the same was classified as “Sarkar Poramboke Chathiram” in the A-register prepared in the year 1923. Even if the Town Survey Register prepared in the year 1933, the said land has been classified as “Sarkar Poramboke Chathiram”. Though the petitioner claims that he produced registered documents of his previous owners from the year 1936, there is no explanation on the part of the petitioner why neither the petitioner nor his previous owners made any attempt to enter their name in the revenue records from the year 1936. Therefore, by relying on A-register of the year 1923 and Town Survey Register of the year 1933 which were anterior to the title deeds produced by the petitioner, the 2nd respondent negated the request of the petitioner seeking transfer of patta.

5. I do not find any error in the conclusion reached by the 2nd respondent and negating the claim of the petitioner. However, the dismissal of the writ petition will not come in any way of petitioner establishing his right before the competent Civil Court.



W.P.No.24997 of 2024.

WEB COPY

6. With these observations, the writ petition stands dismissed.

Consequently, the connected miscellaneous petitions are closed. No costs.

30.08.2024

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

To

1. The District Collector
1st floor, Collectorate
Nagapattinam
Nagapattinam District

2. The District Revenue Officer
Court compound, velippalayam
Nagapattinam
Nagapattinam District

3. The Revenue Divisional Officer
SH-23, Thiruthuraipoondi road,
Mayiladuthurai, Pattamangalam
Nagapattinam
Nagapattinam District.

4. The Tahsildar
Nagapattinam
Nagapattinam District

5/6



WEB COPY



W.P.No.24997 of 2024.

S.SOUNTHAR, J.

nr

W.P No.24997 of 2024 and
W.M.P.Nos.27330, 27331, 27332 of 2024

30.08.2024