



WP.No.35944 of 2024

In the High Court of Judicature at Madras

Dated : 03.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35944 of 2024

K.Andal

...Petitioner

Vs

1.The Revenue Divisional Officer,
Tiruvallur District, Tiruvallur.

2.The Tahsildar, Tiruttani Taluk
Office, Tiruvallur District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.4.2024 and thereby direct the respondents to enter the petitioner's name in the Village "A" register book and other revenue records including patta in the land situated in Survey No.74/6 in Patta No.940, Periyakalakattur Village, Tiruttani Taluk, Tiruvallur District and issue computerised chitta to the petitioner towards the petitioner's land.

For Petitioner : Mr.B.Sundarapandiyan
For Respondents : Mr.A.Selvendran, SGP



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ORDER

Seeking a direction to the respondents to consider her representation dated 15.4.2024 to enter her name in the Village "A" register book and in other revenue records including patta in respect of the land situated in Survey No.74/6 in Patta No.940, Periyakalakattur Village, Tiruttani Taluk, Tiruvallur District and issue a computerised chitta, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The case of the petitioner is as follows :

(i) She belongs to a downtrodden community and is depending on agricultural works for her livelihood. During the life time of her husband and to date, the petitioner has been cultivating the land situated in Survey No.74/6 in Patta No.940, Periyakalakattur Village, Tiruttani Taluk, Tiruvallur District measuring an extent of acre 1.50 cents.

(ii) On 10.5.1963, the petitioner's husband and his family members had given a detailed representation to the District Revenue Officer concerned for the issuance of patta in respect of the said land.



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After conducting a detailed inquiry, the District Revenue Officer concerned permitted the petitioner's husband to cultivate the said land by issuing an order of assignment dated 13.5.1963. From the said date, they are in possession of the said property and are paying necessary tax to the government. In the year 1992, the DKT patta was also issued in the name of the petitioner's father in law.

(iii) Subsequently, the petitioner's husband approached the second respondent to make necessary entries in the A register and the other revenue records in his favour. Pursuant to that, a regular patta was issued and chitta were also granted in his favour in respect of the said property. They have been dealing with the said property as their absolute property by mortgaging the same discharging the mortgage.

(iv) While so, in the year 2007, one Mr.Gnanamoorthy and one Mrs.Devapriya claimed a right to the said property stating that the second respondent issued a patta in their favour on 07.12.2006 under the scheme of issue of free land patta. Immediately thereafter, the petitioner filed a civil suit in O.S.No.14 of 2007 on the file of the District Munsif Court, Tiruthani against the revenue officials and the said Mr.Gnanamoorthy and it was decreed on 22.6.2012.

(v) During the pendency of the said civil suit, the said Mr.Gnanamoorthy and the said Mrs.Devapriya attempted to transfer



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the patta in the name of their representative. Hence, the petitioner filed W.P.No.728 of 2008 before this Court and it was disposed of on 11.1.2008.

(vi) Even thereafter, since the respondents have not taken any steps to implement the said order of this Court, the petitioner filed Cont.P.No.809 of 2008 before this Court against the District Collector and the District Revenue Officer, Tiruvallur. During the pendency of the said contempt petition, the District Revenue Officer, Tiruvallur, by order dated 29.8.2008, cancelled the free house site patta issued to the said Mr.Gnanamoorthy and the said Mrs.Devapriya and also the order dated 07.12.2006 passed by the second respondent. After all these proceedings, the petitioner approached the respondents to enter her name in the village A register and the other revenue records.

(vii) Even thereafter, since steps were not taken, the petitioner filed W.P.No.13555 of 2009 and it was disposed of on 30.7.2009. Despite the orders of this Court, the respondents have not considered the said representation of the petitioner dated 15.4.2024. Hence, the petitioner is before this Court.

4. It is rather unfortunate that the revenue officials are showing scant respect to the orders of this Court and are unnecessarily



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dragging people to this Court. Further, despite the decree of the civil court and the orders of the higher officials, the second respondent has not taken any steps to consider the said representation of petitioner to enter her name in the Village A Register and the revenue records including the patta. The petitioner's right to the said property has been established from the year 1963. Therefore, the inaction on the part of the second respondent to dispose of the said representation also amounts to contempt.

5. Accordingly, the writ petition is allowed and a Mandamus is issued to the second respondent to dispose of the said representation of the petitioner dated 15.4.2024 for entering her name in the village A register and the other revenue records including patta and to issue a computerised chitta within a period of eight weeks from the date of receipt of a copy of this order. No costs.

03.12.2024

To

1. The Revenue Divisional Officer
Tiruvallur District
Tiruvallur.
2. The Tahsildar
Tiruttani Taluk Office
Tiruvallur District.



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P.T.ASHA,J

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