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WP.No.37923 of 2024

In the High Court of Judicature at Madras

Dated : 18.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37923 of 2024

Jothi Lakshmi

Vs

...Petitioner

- 1.The Collector, No.62,
Collectorate of Chennai,
Singaravelar Maaligaim,
Rajaji Salai, Chennai-1.
- 2.The District Revenue Officer,
No.370, Corporation Zone
Office, Anna Salai, Saidapet,
Chennai-15.
- 3.The Revenue Divisional Officer,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Tamil Nadu.
600119.
- 4.The Tahsildar, No.1, First
Cross Street, New Kumaran
Nagar, Taluka Office,
Sholinganallur, Chennai-119.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 19.6.2024 and pass orders fixing a reasonable time.



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

ORDER

Seeking a direction to the respondents to consider her representation dated 19.6.2024 to carry out correction in the classification of the land in respect of old S.No.396, Semmancherry Village measuring 8.05 cents in the revenue records, 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 that her mother - one Mrs.T. Mariammal purchased the said property vide sale deed dated 26.2.1969 registered as doc.No.1316 of 1969 on the file of the Sub-Registrar, Saidapet. Ever since the date of purchase, she was in continuous possession of the said property along with her family. They were carrying out agricultural activities in the said property.

4. The petitioner's mother passed away on 21.6.2023 leaving behind the petitioner as her sole legal heir. In the revenue records, the



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said property was recorded in the name of the petitioner's mother under patta No.186. Later, in the month of May 2024, when the petitioner was checking the revenue records, she came to know that the said property has been described as a barren land (tharisu nilam) in the official records. Immediately, the petitioner sent a representation dated 19.6.2024 to the respondents to correct the classification in the revenue records and to include the name of the petitioner in respect of the property comprised in old S.No.396, block No.3, Old Mahabalipuram Road, present S.No.1. Despite receipt of the said representation, there has been no progress on the same. Hence the writ petition.

5. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record.

6. The property in question has been purchased by the petitioner's mother as early as 1969 and in the sale deed, the said property has been described as manavari land i.e. land not supplied with water by irrigation work and is dependent only on rain water or water source. The patta, which has been issued to the petitioner's mother, also describes the said property as punja land. That being the



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case, it is not known as to how the said property has been described as a barren land and more particularly when the revenue records describe it otherwise. The petitioner's mother also paid kist upto fasli 1410 as per the documents produced by the petitioner for this Court's scrutiny. Therefore, the classification of the said property as a barren land, on the face of the records, appears to be erroneous.

7. Therefore, the writ petition is allowed and the respondents are directed to consider the said representation of the petitioner dated 19.6.2024 to correct the classification of the said property in the revenue records and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. It is made clear that before passing final orders, the respondents shall bear in mind the revenue records issued in favour of the petitioner's mother and the description of the said property contained therein. No costs.

18.12.2024

To

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