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WP.No.39446 of 2024

In the High Court of Judicature at Madras

Dated : 21.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.39446 of 2024

D.Lokesh Kumar

...Petitioner

Vs

1.The District Collector, I Floor,
Collectorate, Tiruvallur-1.

2.The Revenue Divisional Officer,
Ponneri, Railway Station Road,
NGO Nagar Extension, Ponneri.
Tiruvallur District-601204.

3.The Tahsildar, Gummidipoondi
Taluk, Kayalarmedu,
Gummidipoondi, Tiruvallur
District-601201.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and the 3rd respondents to rectify the discrepancies in the A-Register and Chitta with respect to the land in survey No.24/1, Patta No.2612, further directing the 1st and the 3rd respondents to transfer the patta based on the inquiry report submitted by the third respondent vide Na.Ka. 1733/2021/AA1 dated 22.7.2021 by considering the representation submitted by the petitioner on 05.2.2021 by taking appropriate steps.



WEB COPY



WP.No.39446 of 2024

For Petitioner : Ms.S.Varsha
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to respondents 1 and 3 to consider his representation dated 05.2.2021 to rectify the discrepancies in the A-Registrar and the Chitta in respect of the land in survey No.24/1, Patta No.2612 and to transfer the patta in favour of the petitioner pursuant to the inquiry report submitted by the third respondent dated 22.7.2021, 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 facts leading to filing of this writ petition are set out as herein below :

(i) The petitioner acquired the properties measuring acres 8.08 cents in S.Nos.23/1, 24/1 and 24/2, Pallavada Village, Gummidipoondi Taluk, Tiruvallur District by way of a settlement deed dated 31.8.2020 registered as doc.No.4008 of 2020 on the file of the Sub-Registrar, Gummidipoondi executed by his sister - one Mrs.Devisree, who got it by way of a settlement deed dated 06.12.2017 registered as



WP.No.39446 of 2024

doc.No.4300 of 2017 on the file of the same Sub-Registrar executed by her husband- one Mr.Ram Mohan in her favour. Even prior to the purchase made by the said Mr.Ram Mohan, the said properties stood as patta lands. When the petitioner applied for patta in respect of the said properties, to his shock and surprise, the land in S.No.24/1 measuring Hectare 1.39 Ares has been registered as anatheenam in the A-Register and in the Chitta.

(ii) Aggrieved by the said mistake, the petitioner made a representation dated 05.2.2021 to the third respondent to rectify the mistake stating that the land in S.No.24/1 measuring Hectare 1.39 Ares was incorrectly registered as anatheenam land in the A-Register and the Chitta and also to transfer patta in the name of the petitioner. Pursuant to that, the Revenue Inspector, Madharpakkam submitted a report dated 30.6.2021 to the third respondent stating that in patta No.2612, S.No.24/1, the total area measuring Hectare 1.39 Ares had been wrongly registered as anatheenam and recommended to rectify the said mistake and to issue a computerized patta to the petitioner. The Village Administrative Officer, Pallavada also gave statement to that effect.

(iii) Thereafter, the third respondent sent the report dated 22.7.2021 to the second respondent recommending to rectify the said mistake and to issue patta in favour of the petitioner. Further, by a



WP.No.39446 of 2024

communication dated 13.2.2023, the first respondent directed the petitioner to appear for the inquiry on 30.3.2023. In compliance of the said direction, the petitioner's father gave a statement dated 26.10.2023 to the first respondent along with relevant supportive documents. Thereafter, nothing was forthcoming. Hence the writ petition.

4. It is more than a year since the petitioner's father gave the statement dated 26.10.2023 before the first respondent. In the considered view of this Court, suffice it to direct the first respondent to consider and pass orders on the said representation dated 05.2.2021 within a time frame.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to consider the said representation of the petitioner dated 05.2.2021 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order pursuant to the report of the third respondent dated 22.7.2021. No costs.

21.12.2024

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WP.No.39446 of 2024

P.T.ASHA,J

RS

To

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WP.No.39446 of 2024

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