



W.P.No.4119 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.4119 of 2023

AND

W.M.P.No.20311 of 2024

A.Veerappan

.. Petitioner

Vs

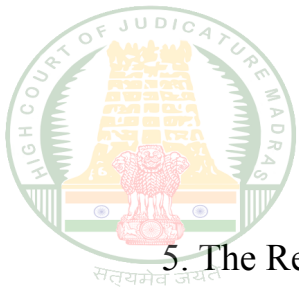
1.The Tahsildar
Aminjakarai Taluk
Chennai 600 030

2.The District Revenue Officer
Greater Chennai Corporation
Ripon Buildings
Chennai 600 003

3.The District Collector
Chennai District
Chennai 600 001

4.The Government of Tamil Nadu
Rep. by its Secretary
Revenue Department
Fort St. George, Chennai-9

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5. The Revenue Divisional Officer
Central Chennai Revenue Division
Chennai

(R5 suo motu impleaded today)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records available on the file of the 1st respondent relating to Town Survey Land Register in respect of survey No.44 (O.Survey No.11/1A1A1A1A2), block No.47, ward No.1, Koyambedu Town, Aminjikarai Taluk, Chennai District uploaded in the Tamil Nadu Government Website, namely, <http://eservices.tn.gov.in> and quash the same insofar as the entry of "Kannaiyan under the heading "Adangal" therein is concerned and consequently direct the 1st respondent to enter the name of the petitioner under the heading "Adangal" therein and further to direct the 4th respondent to pay to the petitioner the cost of this litigation and appropriate compensation as may be fixed by this Hon'ble Court for the sufferings the petitioner had undergone due to the illegal acts of the respondents 1 and 3 and to get the same reimbursed from the concerned incumbents of the respondents 1 and 3 who were/are responsible for such illegal/false entries and further to direct the 4th respondent to issue appropriate guidelines to remove such illegal/false entries made by the Tahsildars themselves in revenue records on their own immediately when the illegality is brought to their attention by the aggrieved person.

For Petitioner : Mr.N.Subramaniyan

For Respondents : Mr.M.R.Gokulakrishnan
Additional Government Pleader



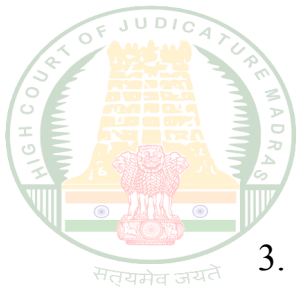
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ORDER

This writ petition has been filed challenging the entry made in the extract from the Town Survey Land Register (TSLR), wherein, the name of one Kannaiyan has been mentioned as if the adangal stands in his name.

2. The case of the petitioner is that he is the owner of the subject property, by virtue of a registered sale deed dated 28.02.1981. After the purchase of the property, the revenue records were also mutated in the name of the petitioner. The petitioner came to know that in the TSLR record, the name of one Kannaiyan has been erroneously mentioned as if the adangal stands in his name. The petitioner therefore, made representations in this regard and the respondents did not act upon the same. It is under these circumstances, the present writ petition came to be filed before this Court.



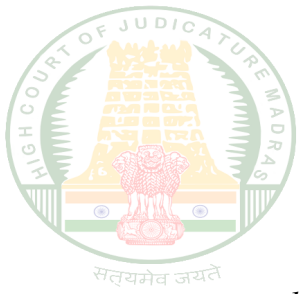
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3. The 1st respondent has filed a counter affidavit. The relevant portions from the said counter affidavit are extracted herein :

“5) With regard to the averments of the petitioner set out in paras 1 to 9 of the affidavit, it is respectfully submitted that the said Koyambedu village was falling under the jurisdiction of the office of the Tahsildar, erstwhile Saidapet Taluk which was functioning under the District Collector, Chengalpattu. Only in the year 1979, the said village along with 21 other extended area villages was added with Chennai District. The records pertaining to Koyambedu village were handed over to Chennai District only in the year 1979. The said Koyambedu Village was attached with erstwhile Egmore-Nungambakkam Taluk till 11.02.2014. Consequent on the bifurcation/trifurcation of Taluk offices in Chennai District the said Koyambedu village was attached with this office with effect from 12.02.2014. During the year 1997, the Town Survey of the said Koyambedu village was conducted by the Survey Department. The Fair Registers were handed over to the erstwhile Egmore-Nungambakkam Taluk. In the said Fair Register, the said property in T.S.No.44. Block No.47 of Koyambedu Village stood registered in the name of Kannaivan with patta No. as 164. As such, no entries were made by this office thereafter. During computerisation of land records, the said land was registered in the name of Kannaiyan on par with the entries available in the manual TSLR. No subsequent entries made by this office in respect of the said field. The said entry in the name of Kannaiyan was not challenged by any one during the past 44 years.

In this connection, it is pertinent to point out that it is for the petitioner to trace title from the Registered holder. Without document link from the Registered holder, this respondent cannot grant patta to the petitioner herein as or would lead to multiplicity of complications.



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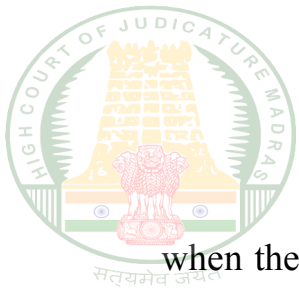
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6) *With regard to Grounds A) to C) of the affidavit, it is respectfully submitted that as stated supra, the said entries in the name of Kannaiyan in respect of T.S.No.44, Block no.47 were made by the Survey Department which carried out the Town Survey. No further transactions carried out either by the 1st Respondent or by the third Respondent herein. The petitioner must have impleaded the Director of Survey and Settlement who is a necessary party in this case. If the petitioner is of the opinion that the entries were made erroneously, the petitioner shall prefer an appeal before the Revenue Divisional Officer, Central Chennai Revenue Division, Anna Nagar West extension with a request to cancel the entries made in the name of Kannaiyan.*

7) *With regard to the Grounds D) and E) of the affidavit, it is respectfully submitted that entries made in the name of "Kannaiyan" shall be removed only under due process of law. It can be done only in an appeal to the Revenue Divisional Officer concerned. Though, the petitioner claims that the said property was originally a joint family property of T.S. Doraisamy Naidu, the petitioner has not submitted any document to show as to how the said T.S. Doraisamy Naidu had become the owner of the said property. The petitioner is put to strict proof of the same."*

4. This Court has carefully considered the submissions made on either side.

5. The petitioner has submitted several documents to establish that he is the owner of the property. There is no contest on the right or title over the property and the petitioner does not even know the person named Kannaiyan. Therefore,



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when the petitioner had made representations in this regard along with supporting documents, the respondents ought to have acted upon the same and deleted the name of Kannaiyan, if they are not able to find the whereabouts of this person. It is quite evident from the information that has been given under the Right to Information Act, 2005, that even the respondents are not aware about this person Kannaiyan and they did not even know his address. Under such circumstances, just because an entry is available in the TSLR, that cannot be mechanically continued without making the necessary corrections.

6. In the light of the above discussion, there shall be a direction to the 5th respondent (who is *suo motu* impleaded by this Court today *vide* this order and for whom Mr. M.R. Gokulakrishnan, learned Additional Government Pleader, takes notice), to act upon the representations made by the petitioner and inquire as to whether Kannaiyan is claiming any right over this property. If ultimately his whereabouts are not known, his name has to be necessarily deleted from the TSLR



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record. This process shall be completed within a period of six weeks from the date

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of receipt of a copy of this order.

In the result, this writ petition is allowed on the above terms. No costs.

Connected W.M.P. is closed.

12.03.2025

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Index : Yes/No

Neutral Citation : Yes/No

To

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Aminjakarai Taluk, Chennai 600 030

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Greater Chennai Corporation

Ripon Buildings, Chennai 600 003

3.The District Collector

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Revenue Department, Fort St. George, Chennai-9

5. The Revenue Divisional Officer

Central Chennai Revenue Division, Chennai

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N. ANAND VENKATESH, J.

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