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W.P.No.20773 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20773 of 2019 and
WMP.Nos.19949, 19954 of 2019 & 8074, 8075 of 2020

S.Nikila Devi

... Petitioner

Vs.

1.The Commissioner Survey and Settlement,
Survey House,
Chepauk,
Chennai 600 005

2.The Thasildhar,
Tiruvallore

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for records relating to the first respondent's proceedings made in Na.Ka. E1 / 2969 /15 dated 25.05.2016 and Na.Ka. E1 / 1564 7/2018 dated 11.06.2019 and quash the same and direct the respondents to grant Ryothwari patta as per provisions of Act XXVI / 1948 in favour of the petitioner for the lands comprised in Survey Nos.73/1 Over an extent of Ac. 0.40 cents, 73/2 over 1/8



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an extent of Ac. 0.48 cents, 74/2, Over an extent of Acre. 1.14 cents, 77/3

over an extent of Acre. 1.99 cents, 77/4 over an extent of Acre 0.19 cents

in total acre 4.20 cents of Siruvanoor villagae, and survey nos.115/2 over

an extent of Acre 2.42 cents and 122/5 over an extent of Acre. 5.00 cents

in total acre 7.42 cents of Vedaginallur Village, Tiruvallore Taluk and

District.

For Petitioner : Mr.S.Rajasekhar

For Respondents : Mr.T.Arun Kumar,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the orders passed by the first respondent dated 11.06.2019 and 25.05.2016.

2. The petitioner's husband and her father in law were zamindars of five villages. After notifying the area under the provisions of Act XXVI/1948, the petitioner's father in law's family applied for patta for the land situated at Siruvanoor Village and Vedanginallur Village of Tiruvallur District. The Settlement Authority has granted ryotwari patta



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under Section 12 of the Act XXVI of 1948 in so many areas. Some of the

areas were declared to be granted patta. Therefore, the petitioner's father in law approached Inam Tribunal and obtained patta. In the year 1956, the petitioner's husband also filed suit for partition in CS.No.70 of 1956 on the file of this Court. While pending the suit, the petitioner's husband died and the petitioner and her daughter were impleaded as party to the suit and they obtained final decree. SLR and the 'A' register are standing in the name of the petitioner and her husband's family. While being so, the land comprised in survey Nos.73/1 to an extent of 40 cents, 73/2 to an extent of 48 cents, 74/2 to an extent of 1.14 acres in survey No.77/3 to an extent of 1.99 acres, 77/4 to an extent of 19 cents situated in Vedanginallur Village and the land comprised in survey No.115/2 to an extent of 2.42 cents in survey no.122/5 to an extent of 5 acres situated at Siruvanoor Village, Tiruvallur District are classified as Anadheenam as per the revenue records. Therefore, the petitioner submitted application by invoking the provision under Section 5(2) of the Act, XXVI of 1948 and sought ryotwari patta in her favour. However, it was rejected. Therefore, the petitioner filed writ petition before this Court in WP.No.28827 of 2012 and this Court by order dated 25.03.2015, set aside the above order and remanded the matter back to the respondents for



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fresh consideration after issuance of notice to the petitioner. Thereafter they conducted detailed enquiry and upon hearing the petitioner and on perusal of the documents produced by the petitioner, they rejected the claim of the petitioner on the ground that the petitioner failed to produce any document to prove that the petitioner's predecessors were in title over the subject property.

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. On perusal of the counter filed by the second respondent and on submissions of the learned Additional Government Pleader appearing for the respondents, it is revealed that the petitioner filed review before the first respondent as against the order passed by the first respondent dated 25.04.2016. The review application was dismissed by the impugned order dated 11.06.2019 on the ground that there is no provision in the Tamilnadu Estates (Abolition and Conversion into Ryotwari) Act, 1948. The Review order was passed under Section 11(a) and 5(2) of the said Act. The subject land is classified as Anadheenam and is situated in the village of Vedanginallur, Tiruvallur District. It was placed at the disposal

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of the Tiruvallur Municipality for construction of bus stand as per the
GO.Ms.No.635 Revenue and Disaster Management Department dated
06.10.2021. Accordingly, the subject land was handed over to the
Tiruvallur Municipality. In fact, the petitioner also filed writ petition in
WP.No.14281 of 2023 forbearing the construction of the bus stand in the
land comprised in survey No.122/5 situated at Vedanginallur Village,
Tiruvallur District. It was also dismissed by this Court by order dated
15.06.2023. Further, the time limit of 28.08.1987 was fixed in
GO.Ms.no.714 Commercial Taxes and Religious Endowments
Department dated 29.06.1987. It is also confirmed by the Division Bench
of this Court in WA.No.96 of 2015 by order dated 09.02.2016 and the
same was confirmed by the Hon'ble Supreme Court of India in
SLP.No.13454 of 2016 by order dated 13.05.2016.

5. In view of the above, the first respondent rightly
rejected the review filed by the petitioner and this Court finds no
infirmity or illegality in the impugned order. As such, this writ petition is
liable to be dismissed. Accordingly, this writ petition is dismissed. In
view of the above order passed in this writ petition, the miscellaneous
petition in WMP.No.8074 of 2020 is also dismissed. Consequently, the
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other connected miscellaneous petitions are closed. There shall be no order as to costs.

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Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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