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W.P.No.23423 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

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

W.P.No.23423 of 2019

J.S.Ragunatha Chetty

...Petitioner

-Vs -

1. The District Revenue Officer,
District Revenue Office,
Krishnagiri.

2. Appaya Chetty

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records of the impugned order dated 28.05.2019 in Pa.Mu.13836/2017/J1 passed by the first respondent and quash the same and consequently direct the first respondent to grant patta in S.No.19/1 Veppanapalli Village, Krishnagiri Taluk and District of an extent of 1.37 acres.

For Petitioner : Mr.N.A.Nissa Ahmed, Senior Counsel
for Mr.L.Kowser Nissar

For Respondents

For R1 : Mr.T.Arun Kumar
Additional Government Pleader

For R2 : No appearance



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ORDER

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This writ petition has been preferred as against the order passed by the first respondent dated 28.05.2019, thereby rejecting the claim made by the petitioner for issuance of patta in respect of the land comprised in survey No.19/1 situated at Veppanapalli Village, Krishnagiri Taluk and District of an extent of 1.37 acres.

2. The petitioner's mother had purchased the land ad measuring 1.37 acres comprised in S.No.19/1 situated at Veppanapalli Village, Krishnagiri Taluk and District, by the registered sale deed dated 27.01.1947 vide document No.189 of 1947. Thereafter, the settlement Tashildar by the proceedings dated 01.12.1968 granted patta in respect of the property comprised in S.Nos.19/1 & 19/3 to an extent of 2.32 acres in favour of the petitioner's father and his brothers viz., Mallai Gowdu, Sonnappa Chetty, Seethappa Gowdu, Annaiah Chetty. The said order was challenged only in the year 2000 that too, without adding the pattadhars in C.M.A.No.1 of 2000 before the learned Sub Judge, Minor Inams Tribunal, Krishnagiri. It was allowed by an order dated 02.08.2004 and the order passed by the Settlement Tashildar dated



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01.12.1968 was set aside. In the mean while, by the registered Will dated 01.02.2001, the petitioner's mother bequeathed the entire property in favour of the petitioner and his mother died on 24.05.2007. Thereafter, the petitioner approached the first respondent for issuance of patta and the same was rejected by an order dated 25.09.2019. Hence, the petitioner filed the present Writ Petition.

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

4. Admittedly, the property comprised in S.Nos.19/1 & 19/3 to an extent of 2.32 acres were settled in favour of the petitioner's father and three others by the Settlement Tashildar by his proceedings dated 01.12.1968. Thereafter, the entire revenue records were mutated in their names and also they entered into a partition in respect of the property. Without adding them as parties that too after the period of 33 years, the petitioner's mother filed an appeal in C.M.A.No.1 of 2000 on the file of the learned Sub Judge, Minor Inams Tribunal, Krishnagiri, represented by the petitioner as her power agent. In the said appeal, though the



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officials respondents appeared through their counsel, they did not appear before the Tribunal and as such, they set exparte and the order passed by the Settlement Tashildar dated 01.12.1968 was set aside. Thereafter, the petitioner did not take any steps to mutate any revenue records. In the year 2017, the petitioner submitted representation for issuance of patta in favour of the petitioner on the strength of the Will executed by her mother. Though the petitioner's mother obtained order before the learned Sub Judge, Minor Inams Tribunal, Krishnagiri, thereby setting aside the order passed by the Settlement Tashildar, it was not executed immediately.

5. That apart, the learned Sub Judge, Minor Inams Tribunal, Krishnagiri, passed an exparte order. Further the petitioner's mother failed to add the other persons who had interest over the property by way of partition deed along with the petitioner's father. Therefore, the order passed in C.M.A.No.1 of 2000 on the file of the learned Sub Judge, Minor Inams Tribunal, Krishnagiri, dated 02.08.2004, is not consonant with law and it is not in the eye of law.



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6. Further on perusal of records, it is revealed that the Settlement Tashildar issued Roytwari Patta in favour of the petitioner's father and three others viz., Mallai Gowdu, Seethappa Gowdu, Annaiah Chetty, in respect of the land comprised in S.No.19/1 to an extent of 1.37 acres & S.No.19/3 to an extend of 2.32 acres. Now the subject lands are stand in the name of the following persons, as per the Natham Adagal Register of Veppanapalli Village :-

S. No.	Extent (in hectare)	Patta No	Name of the land owner
19/1A	0.01.0	617	Lakshmana Narayana Chetty S/o/ Anaiya Chetty
19/1B1	0.02.11	575	Munirathna Udaiyar S/o. Manicka Udaiyar
191/B2	0.02.20	561	Makboop Basha W/o. Mohamad Yusuf
19/1B3A	0.26.04	-	Agricultural land
19/1B3B	0.00.10	719	J.A.Vethavathi
19/1B4A	0.00.99	653	1. Lakshmana Narayana Chetty S/o. Annaiya Chetty 2. Nagarj Chetty S/o. Annaiya Chetty
19/1B4B	0.00.06	718	J.A.Vethavathi
19/1C1A	0.02.00	718	J.A.Vethavathi
19/1C1B	0.02.00	412	S.Savitha
19/1C2A	0.19.66	-	Gaali idam (Vacant Land)
19/1C2B	0.00.84	413	Subbaiya Chetty S/o. Chinna Sonnappa Chetty



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S. No.	Extent (in hectare)	Patta No	Name of the land owner
19/4	0.56.90	-	Agricultural Land
19/5	0.56.90	554	Purusothaman S.o. Anantha Krishna Ayyankar
19/6	0.01.21	455	Kaveri Gounder S/o. Kaliyappa Gounder
19/7	0.04.04	482	1. Nallamma W/o. Nanjunda Gowdu 2. Alla Bakash S/o. Anwar
19/8	0.01.54	654	1. Santha W/o. Krishnamachari 2. Chandrachari S/o. Krishnamachari
19/9	0.01.20	414	1. Nawaf Khan W/o. Parith Khan 2. Venkatappa S/o. Narla Ramanna
19/10	0.06.07	655	1. Sreenivasan S/o.Munisamy Reddy 2. Sambamgi Ramulu S/o. Munisamy Reddy

Therefore, the petitioner is never in possession and enjoyment of the property. Further, the petitioner's father and his brothers entered into a partition deed.

7. That apart, as per the government order in G.O.Ms.No.1889 C&T and HR & CE Department, dated 24.12.1976, the last date for the claims under Inam Lands (Abolition and Conversion into Ryotwari) Rules, 1965 was fixed as 31.03.1977. By the Circular dated 12.06.2015, it was instructed not to entertain the claims under the Inam Act. Further



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the subject land is now classified as Natham during the year 1996.

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8. Considering the above facts and circumstances, the first respondent rightly rejected the representation made by the petitioner and this Court finds no infirmity or illegality in the order passed by the first respondent. However, the petitioner is at liberty to approach the Civil Court to declare the subject property in his favour, after adding all the necessary parties. If the petitioner succeeds in the Civil Court, he can very well approach the authority concerned for issuance of patta.

9. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts



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G.K.ILANTHIRAIYAN. J,

rts

To
The District Revenue Officer,
District Revenue Office,
Krishnagiri.

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