IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 23307 of 2023

L.Kumar

..Petitioner(s)

Vs

The District Collector,
Office of the District Collector,
Chengalpattu District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records of the impugned order of the respondent in Na. Ka.No.39349/2019/A4 dated 09.06.2023 and quash the same and thereby direct the respondent to restore the "bought-in-lands", which was 'brought-in' for the notional loss to the Government and to maintain status quo ante on and from 30.04.2012 for all purpose and that the lands to be re-mutated to the original land owner namely, the legal heirs of the petitioner's father in No.121, Mugaiyur Village Survey No. 235/4B to an extent of 1.36 acres of Mugaiyur Village, Cheyuur Taluk, Chengalpattu District as the petitioner's father has paid the entire dues to the Government as early as on 30.04.2012 for all purpose.

For Petitioner(s) : Mr.Hari Radhakrishnan

For Respondent(s) : Mr.T.K.Saravanan, AGP

ORDER

This writ petition is filed to call for the entire records of the impugned order of the respondent in Na.Ka.No.39349/2019/A4 dated 09.06.2023 and quash the same and thereby direct the respondent to restore the "bought-in-lands", which was 'brought-in' for the notional loss to the Government and to maintain status quo ante on and from 30.04.2012 for all purpose and that the lands to be re-mutated to the original land owner namely, the legal heirs of the petitioner's father in No.121, Mugaiyur Village Survey No. 235/4B to an extent of 1.36 acres of Mugaiyur Village, Cheyuur Taluk, Chengalpattu District as the petitioner's father has paid the entire dues to the Government as early as on 30.04.2012 for all purpose.

2. Learned counsel for the petitioner would submit that the petitioner's father viz., R.Lakshmikandhan is the owner of the land comprised in S.No.235/4 to an extent of 1.26 acre situated in Mugaiyur Village, Chengalpattu Taluk. Thereafter, the said Lakshmikandhan offered his bid and succeeded in public auction for toddy shop situated in Endathur Village and the said shop sustained loss, which resulted in notional loss to the Government. Therefore, the RDO, Chengalpattu passed an order dated 27.02.1975, in which the notional loss sustained by the Government was recovered by changing the Patta in respect of the subject property as 'Anathinam Land'. However, the notional loss sustained by the Government was paid by the said Lakshmikandhan along with interest at the rate of 12%. Such being the case, the Divisional Excise Officer, Prohibition and Excise Department, Chengalpattu made a report to the respondent dated 30.05.2012 to re-assign the patta in favour of the petitioner's

father. While so, petitioner made a representation dated 08.07.2022 before the respondent seeking to re-assign the patta in favour of the petitioner's father. However, the same was not considered. Hence, the petitioner has filed a writ petition in W.P.No.21523 of 2022 and this Court vide its order dated 23.08.2022 directed the respondents therein to dispose of the same. Pursuant to which, the respondent passed an order dated 09.06.2023 by rejecting the petitioner's claim. Challenging the same, the petitioner has come forward with the present writ petition.

3. Learned Additional Government Pleader appearing for the respondents would submit that since the petitioner’s father has not complied the 45(4) of the Revenue Standing Orders, they are not in a position to re-classify the "Anathinam Land" as a "Patta Land".

4. Heard the learned counsel on either side and perused the materials available on record.

5. Initially, the subject land comprised in S.No.235/4, in Mugaiyur Village, Chengalpattu Taluk to an extent of 1.26 acre was purchased by the petitioner's father vide sale deed in Doc.No.1796 of 1964 and there is no dispute on that aspect. Subsequently, the petitioner's father was awarded with a toddy shop license in the year 1972. Since there was a loss in the toddy shop, the

RDO, Chengalpattu passed an order dated 27.02.1975 by determining the notional loss to the tune of Rs.14,262/- to the Government and re-classified the petitioner's father's property as "Ananthinam Land" for the said loss. Pursuant thereto, the petitioner's father has paid the said amount along with an interest at the rate of 12%. After the said payment, the Divisional Excise Officer, Prohibition and Excise Department, Chengalpattu vide its order dated 30.05.2012, recommended the respondent to re-classify the "Anathinam Land" as "patta land" and handover the same to the petitioner's father, as he paid the entire dues to the Government. However, the same was not re-classified, as on date.

6. In the present case, the Excise Officer vide order dated 30.05.2012 has recommended the respondent herein to re-classify the petitioner's father's land as "patta land" from "Ananthinam land", since he has paid the entire due amount to the Government along with interest. However, without complying the same, the respondent has passed the impugned order dated 09.06.2023 by rejecting the petitioner's claim to re-classify the land as "patta land" by relying 45(4) of the Revenue Standing Orders. As far as 45(4) of the Revenue Standing Orders is concerned, it is for the disposal of bought-in-lands, but, in this case, the disposal of the bought-in-lands would not arise, since the petitioner's father has already paid the entire due amount to the Government as early as on 30.04.2012 and the next step is to re-classify the petitioner's land as "Patta land" by the respondent.

7. In view of the above, the order passed by the respondent in Na.Ka.No.39349/2019/A4 dated 09.06.2023 is hereby quashed and consequently, this Court directs the respondent to re-classify the petitioner's father's land as "patta land" from "Anathinam land" and hand over the same to the petitioner, in terms of the order passed by the Excise Officer dated 30.05.2012, within a period of eight weeks from the date of receipt of a copy of this order.

List the case on 22.06.2026 under the caption "For Reporting Compliance".

02-04-2026

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

VM

To:

The District Collector,
Office Of The District Collector,
Chengalpattu District.

KRISHNAN RAMASAMY, J.

VM

WP No. 23307 of 2023

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