

**PROCEEDINGS OF THE COMMISSIONER OF LAND
ADMINISTRATION, CHEPAUK, CHENNAI 600 005.**

PRESENT : Thiru. S. NAGARAJAN, I.A.S.,

Roc. No. K2/1860/2017

Dated: 01-12-2023

Sub: Land - Chengalpattu District - Tiruporur Taluk - Karunguzhipallam Village- S.No.13 to 17, 19 to 24, 25 to 30/1, 30/5, 31, 32, 37 to 41 Lands classified as "Government Poramboke - Kazhuveli" in RSR - patta stood in the names of various individuals in UDR "A" register - cancelled - Directions issued by the Hon'ble High Court, Madras in W.P.No.16419/2021 and etc. Enquired - Orders passed - regarding.

Ref: 1. Proceedings of the Principal Secretary/Commissioner of Land Administration in Roc. No. K1/1860/2017 dated 16.3.2021.
2. Order of the Hon'ble High Court of Madras in W.P.No. 16419/2021 and etc. dated 21.12.2021.
3. Enquiry conducted on 22.12.2022, 19.1.2023 & 7.2.2023 and final enquiry held before this Forum on 19.9.2023, 20.9.2023 & 21.9.2023.
4. And other connected records.

Details of the Suit Land

Name of the District			Chengalpattu		
Name of the Taluk			Thiruporur		
Name of the Village			Karunguzhipallam		
Sl.No.	Survey Number	Extent in acres	Sl.No.	Survey Number	Extent in acres
1	13	7.19	14	28	8.07
2	14	8.67	15	29	8.47
3	15	6.74	16	30/1 & 30/5	0.14 & 0.56
4	16	6.37	17	31	13.74

5	17	7.12	18	32	12.57
6	19	7.61	19	33	13.23
7	20	10.51	20	34	15.11
8	21	6.53	21	37	9.93
9	23	9.19	22	38	8.86
10	24	7.90	23	39	10.91
11	25	5.93	24	40	9.98
12	26	8.03	25	41	269.49
13	27	7.38			
Total Survey numbers involved			25		

ORDER:-

This cause of issue arose as per the directions issued by the Hon'ble High Court of Madras vide the order 2nd read above, wherein the Hon'ble High Court had quashed the orders passed by the Commissioner of Land Administration vide the proceedings 1st read above cancelling the patta stood in the name of private individuals and declaring the suit lands as "Government Poramboke - Kazhuveli" in respect of the lands in S.Nos. 13,14 and etc. (totally 25 survey numbers) at Karunguzhipallam village, Thiruporur Taluk, Chengalpattu District and remitted back to this case for fresh disposal.

2. Facts of the case are as follows:-

(i) As per the OSR "A" Register (in the year 1877) of Karunguzhipallam village, the subject lands in S.Nos. 13,14,15,16, 17,19, 20,21, ,23,24, 25,26, 27,28, 29, 30/1,30/5,31,32, 33,34,37, 38,39, 40 and 41 were classified and recorded in the following category and that no person claimed title over the lands or no ryot's name was mentioned in the records as maintained from the year 1877 onwards.

Thereafter, Revision Survey and Re-Settlement works were carried out in Karunguzhipallam Village in Chengalpattu Taluk (now in Thiruporur Taluk) of Kancheepuram District (now in Chengalpattu District) and Revision Survey and Resettlement (RSR) "A" Register was published in the year 1911. As per the Revision Survey and Resettlement "A" Register (in the year 1911), the subject lands in S.Nos. 13,14 etc. (totally 25 survey numbers) at Karunguzhipallam Village were classified and recorded in the below mentioned table as follows: -

Sl.No	As per OSR (Year 1871)			As per RSR "A" Register (Year 1911)		
	Sy.No.	Extent (Acres)	Classification	Sy.No.	Extent (Acres)	Classification/Remarks Column
1	13	7.19	Sarkar Punjai	13	7.19	Government Punjai
2	14	8.67	Sarkar Punjai	14	8.67	Government Poramboke- "Kazhuveli (Back Water)"
3.	15	6.51	Sarkar Punjai	15	6.74	Government Poramboke- "Kazhuveli (Back Water)"
4	16	6.37	Sarkar Punjai	16	6.37	Government Poramboke- "Kazhuveli (Back Water)"
5.	17	7.12	Sarkar Punjai	17	7.12	Government Poramboke- "Kazhuveli (Back Water)"
6.	19	7.61	Sarkar Punjai	19	7.61	Government Poramboke- "Saline Soil"
7.	20	10.51	Sarkar Punjai- Saline Soil	20	10.51	Government Poramboke- "Saline Soil"
8.	21	6.53	Sarkar Punjai- Saline Soil	21	6.53	Government Poramboke- "Saline Soil"
9.	23	9.19	Sarkar Punjai	23	9.19	Government Poramboke-

						"Saline Soil"
10.	24	7.90	Sarkar Punjai	24	7.90	Government Poramboke- "Saline Soil"
11.	25	5.93	Sarkar Punjai	25	5.93	Government Poramboke- "Kazhuveli"
12.	26	8.03	Sarkar Punjai	26	8.03	Government Poramboke- "Kazhuveli"
13.	27	7.38	Sarkar Punjai with pattadhar name No.3, Rangappa Naicker	27	7.38	Government Poramboke- "Kazhuveli"
14.	28	8.07	Sarkar Punjai with pattadhar name No.5. Kuppunattan	28	8.07	Government Poramboke- "Kazhuveli"
15.	29	8.47	Sarkar Punjai with pattadhar name No.2. Thaniya Naicker	29	8.47	Government Poramboke- "Kazhuveli"
16.	30/A	0.63	Sarkar Punjai	30/1	0.14	Government Poramboke- "Kazhuveli"
				30/5	0.56	Government Poramboke- "Kazhuveli"
17.	31	13.74	Sarkar Punjai	31	13.74	Government Poramboke- "Kazhuveli"
18.	32	12.57	Sarkar Punjai	32	12.57	Government Poramboke- "Kazhuveli"
19.	33	13.12	Sarkar Punjai	33	13.12	Govt. Poramboke-

						Saline soil
20.	34	15.11	Sarkar Punjai	34	15.11	Govt. Poramboke-
						Saline soil
21.	37	9.93	Sarkar Punjai	37	9.93	Govt. Poramboke- Kazhuveli
22.	38	8.86	Sarkar Punjai	38	8.86	Govt. Poramboke- Kazhuveli
23.	39	10.91	Sarkar Punjai	39	10.91	Govt. Poramboke- Kazhuveli
24.	40	9.98	Sarkar Punjai	40	9.98	Govt. Poramboke- Kazhuveli
25.	41	269.49	Sarkar Poramboke- Back Water (Uppankazhi)	41	269.49	Govt. Poramboke- Kazhuveli

(ii) As per the UDR "A" Register in the year 1987, the subject lands in S.No. 13,14 and etc. were subdivided into many sub divisions and these lands were recorded as patta lands stood in the name of following private individuals which are tabulated as follows :-

As per UDR "A" Register (Year 1987) for S.No. 13			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
13	2.91.0	Ryot Punjai	No.152. S.Suseela Ammal & S.Nazmudeen
As per the Computerized "A" Register			
13	2.91.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 14

S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
14	3.51.0	Ryot Punjai	No.112. Murugan
As per the Computerized "A" Register			
14	3.51.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) For S.No. 15			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
15	2.73.0	Ryot Punjai	No. 67. Thiru. Subbaraya Naicker
As per the Computerized "A" Register			
15	2.73.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 16			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
16/1	2.02.5	Ryot Punjai	No. 146 Thiru. Jeyarama Naidu
16/2	0.55.5	Ryot Punjai	No. 123 Thiru. K.A. Radhakrishnan
As per the Computerized "A" Register			
16	2.58.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.17			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
17/1A1	2.57.0	Ryot Punjai	No. 19. Umapathy Naicker
17/1A2	0.04.5	Ryot Punjai	No. 97. Padmavathy
17/1B	0.04.5	Ryot Punjai	

17/2	0.06.5	Ryot Punjai	No.4. Alameluammal
17/3	0.06.5	Ryot Punjai	No.65. J. Srineevasan Naidu
17/4	0.04.5	Ryot Punjai	No. 68. A. Sukumar
17/5	0.04.5		
As per the present Computerized "A" Register			
17	2.88.0	Government Poramboke	-
As per UDR "A" Register (Year 1987) for S.No. 19			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
19/1A	0.20.5	Ryot Punjai	No. 11 .A Aathimoolam
19/1B	0.20.0	Ryot Punjai	No. 91. A. Nagappan
19/2	2.67.5	Ryot Punjai	No.19. Umapathy Naicker
Total	3.08.0		
As per the Computerized "A" Register			
19	3.08.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 20			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
20	4.25.5	Ryot Punjai	No. 64. Sivarama Mudaliar

As per the Computerized "A" Register			
20	4.25.5	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 21			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
21/1	0.04.0	Ryot Punjai	No.85. Devakibai
21/2	0.11.5	Ryot Punjai	No. 43. Kuppabai Prasad
21/3	1.86.0	Ryot Punjai	No.22. Ellan
21/4	0.04.5	Ryot Punjai	No.124. Ramachandran
21/5	0.07.0	Ryot Punjai	No.125. B. Radha
21/6	0.51.5	Ryot Punjai	No.98. Bansila Savukkar
As per Computerized "A" Register			
21	2.64.5	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 23			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
23/1	2.87.5	Ryot Punjai	No.24. Ekambaram
23/2A	0.74.0	Ryot Punjai	No.5. Ammalamma
23/2B	0.10.5	Ryot Punjai	No.59. Saminathan
As per Computerized "A" Register			
23	3.72.0	Government Poramboke	-

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As per UDR "A" Register (Year 1987) for S.No. 24			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
24/1	0.09.5	Ryot Punjai	No.59. Saminathan
24/2	0.21.0	Ryot Punjai	No.59. Saminathan
24/3	2.89.0	Ryot Punjai	No.153. Umapathy Naicker
Total	3.19.5		
As per Computerized "A" Register			
24	3.19.5	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 25			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
25	2.40.0	Ryot Punjai	No. 127. Poongavanam
As per Computerized "A" Register			
25	2.40.0	Government Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 26			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
26/1A1	2.82.5	Ryot Punjai	12.Aladiyar
26/1A2	0.06.5		73.R.V.R.K.Suryarao
26/1B	0.11.5		136.M.Vasanthamalai Seviour
26/1C	0.06.5		50.Gowslya Sambandam

26/2	0.18.0	Govt. Poramboke	Anadheenam
As per Computerized "A" Register			
26	3.43.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 27			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
27/1A	0.06.5	Ryot Punjai	71.R.V.R.K.Suryarao
27/1B	2.56.5		60.Sathana naickar
27/2	0.35.5		61.Sambarao
As per the Computerized "A" Register			
27	2.98.5	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 28			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
28-1A	0.40.5	Ryot Punjai	144.R.Sridharan
28-1B	0.66.5		99.S.Padma
28-2	1.09.0		121.R.Ramani
28-3A	0.29.5		51.V.Sankaran
28-3B	0.81.0		161.Ramamoorthy
As per the Computerized "A" Register			
28	3.26.5	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No. 29			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
29/1	1.40.5	Ryot Punjai	144. N.Sridharan
29/2	2.02.5		116. Murugesu Mudaliyar
As per the Computerized "A" Register			
29	3.43.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) & As per the Computerized "A" Register for S.No. 30/1 & 30/5			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
30/1	0.05.5	Govt. Poramboke	Kazhuveli
30/5	0.22.5	Govt. Poramboke	Kazhuveli

As per UDR "A" Register (Year 1987) for S.No. 31			
S.No.	Extent (Hectare)	Classification	Patta No. & Pattadhar's Name
31/1A	0.94.0		74.Sala.Li. Veerangamwala
31/1B	0.94.0		113.S.Mohamed Ali
31/2A	0.94.0		87.M.Nunnin
31/2B	0.94.0		16.Ku.Iliyan

31/3A	0.50.0	Ryot Punjai	49. Mohamed Bazhil (1) Rasidha (2)
31/3B	0.50.0		163.W.M.Pondurangan (1) Dhanalakshmi (2)
31/3C	0.40.0		164.A.Bhaagath & Company Salem
31/3D	0.40.0		165.S.B.E.Master (1) Hasib S Master Bombay (2)
As per the Computerized "A" Register			
31	5.56.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.32			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
32/1	1.69.5	Ryot Punjai	126.J.M.Rao
32/2	1.69.5		28.G.Kasthuri
32/3	1.69.5		119.R.Michael
As per the Computerized "A" Register			
32	5.08.5	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.33			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
33/1	2.02.5	Ryot	73.G.Kasthuri

		Punjai	
33/2	2.02.5		86.Desigan
33/3	1.26.0		123.A.Radhakrishnan
As per the Computerized "A" Register			
33	5.31.0	Ryot Punjai	Subdivided into 21 fields and stood in the names of various private inividudals

As per UDR "A" Register (Year 1987) for S.No.34			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
34/1	0.04.5	Govt. poramboke	Salai
34/2	2.02.5	Ryot Punjai	93. Nagarajan
34/3	2.02.5		137. V. Viswanathan
34/4	2.02.0		94. Narayanan
As per the Computerized "A" Register			
34	6.11.5	Ryot Punjai	Subdivided into many fields and stood in the names of various private inividudals

As per UDR "A" Register (Year 1987) for S.No.37			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
37/1A	0.40.5		78. Dhanraj Sethiyah
37/1B	0.40.5		53. Sankarlal Chao
37/1C	0.20.0		141. Shamplal Bansali
37/2A	0.20.0		141. Shamplal Bansali
37/2B	0.40.5		69. Suman Agarwal

		Ryot Punjai	Dr. Sunil Agarwal
37/2C	0.40.5		131. Lashlikhan
37/3	1.01.5		31. Kamatchiammal
37/4A	0.17.5		54. Sarojini
37/4B	0.40.5		No.104. Premilna Guptha
37/4C	0.40.5		No.77.Chowthamchand Sathari
		Ryot Punjai	
As per the Computerized "A" Register			
37	4.02.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.38			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
38/1	1.15.5	Ryot Punjai	25. M. Pandimal Pakodiya
38/2A	0.40.5		32. Kamalagoshi
38/2B	0.40.5		95. Nangamgoshi
38/2C	0.40.5		88. Nandagopal
38/3	1.21.5		33. Kalayanasundaram

As per the Computerized "A" Register			
38	3.58.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.39			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
39/1A	0.40.5	Ryot Punjai	18. Indirachand Gokul Chand Gothari
39/1B	0.40.5		39. Kishore Kumar
39/1C	0.40.5		70. G.L. Soorana
39/1D	0.40.5		118. R. Mohan
39/1E	0.37.0		72. Jeyanthilal Jain
39/2A	0.40.5		77. Showrthamkhan Sathiriya
39/2B	0.40.5		41. Geetha Agarwal
39/2C	0.40.5		138. Srivinisiya
39/3A	0.40.5		55. Iqpal N Milwasa
39/3B	0.40.5		106. Appal Beethason Raheem
39/3C	0.40.0		Ryot Punjai
As per the Computerized "A" Register			
39	4.41.5	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.40			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
40/1	1.01.0		35. Elangovan

40/2	1.01.0	Ryot Punjai	20. Ushakumari
40/3	1.01.0		82. P. Dheenap Kumar
40/4	1.01.0		127. Raghavan
As per the Computerized "A" Register			
40	4.04.0	Govt. Poramboke	-

As per UDR "A" Register (Year 1987) for S.No.41			
S.No.	Extent (Hectares)	Classification	Patta No. & Pattadhar's Name
41/1A	3.72.0	Ryot Punjai	162. R. Venkatesan
41/1B	1.75.5		108. M. Dhanasekaran
41/1C	0.88.0		162. R. Venkatesan
41/2	2.24.5	Govt. poramboke- Road	Govt. Poramboke
41/3	2.02.5	Govt. Punjai- Anadheenam	-
41/4	2.02.5	Govt. Punjai - Anadheenam	-
41/5	2.02.5	Govt. Punjai - Anadheenam	-
41/6	2.02.5	Govt. Punjai - Anadheenam	-
41/7	2.02.5	Govt. Punjai - Anadheenam	-
41/12	2.02.5	Govt. Punjai - Anadheenam	-
41/15	2.02.5	Govt. Punjai - Anadheenam	-

41/23	0.60.5	Govt. Punjai - Anadheenam	-
41/24	0.60.5	Govt. Punjai - Anadheenam	-
41/25	1.21.5	Govt. Punjai - Anadheenam	-
41/27	1.21.5	Govt. Punjai - Anadheenam	-
41/29	0.60.5	Govt. Punjai - Anadheenam	-
41/30	0.60.5	Govt. Punjai - Anadheenam	-
41/31	0.60.5	Govt. Punjai - Anadheenam	-
41/32	0.60.5	Govt. Punjai - Anadheenam	-
41/33	0.60.5	Govt. Punjai - Anadheenam	-
41/34	0.60.5	Govt. Punjai - Anadheenam	-
41/35	1.21.5	Govt. Punjai - Anadheenam	-
41/38	1.37.5	Govt. Punjai - Anadheenam	-
41/40	2.43.0	Govt. Punjai - Anadheenam	-
41/41	0.60.5	Govt. Punjai - Anadheenam	-
41/42	0.40.5	Govt. Punjai - Anadheenam	-
41/43	1.21.5	Govt. Punjai - Anadheenam	-
41/44	1.21.5	Govt. Punjai - Anadheenam	-
41/45	0.60.5	Govt. Punjai - Anadheenam	-
41/46	0.60.5	Govt. Punjai - Anadheenam	-
41/52	0.60.5	Govt. Punjai - Anadheenam	-
41/53	1.10.5	Govt. Punjai - Anadheenam	-

41/53	1.19.5	Govt. Punjai - Anadheenam	-
41/54	1.35.5	Govt. Punjai - Anadheenam	-
41/55	1.21.5	Govt. Punjai - Anadheenam	-
41/58	1.21.5	Govt. Punjai - Anadheenam	-
41/59	1.21.5	Govt. Punjai - Anadheenam	-
41/60	0.60.5	Govt. Punjai - Anadheenam	-
41/61	0.60.5	Govt. Punjai - Anadheenam	-
41/64	0.60.5	Govt. Punjai - Anadheenam	-
41/68	1.40.5	Govt. Punjai - Anadheenam	-
41/69	1.21.5	Govt. Punjai - Anadheenam	-
41/71	1.21.5	Govt. Punjai - Anadheenam	-
41/73	1.21.5	Govt. Punjai - Anadheenam	-
41/75	2.62.0	Govt. Punjai - Anadheenam	-
41/78	0.62.5	Govt. Punjai - Anadheenam	-
41/79	0.89.0	Govt. Punjai - Anadheenam	-
41/80	0.62.5	Govt. Punjai - Anadheenam	-
41/81	0.52.5	Govt. Punjai - Anadheenam	-
41/82	0.71.0	Govt. Punjai - Anadheenam	-
41/83	0.62.5	Govt. Punjai - Anadheenam	-
41/84	0.62.5	Govt. Punjai - Anadheenam	-
41/85	1.21.5	Govt. Punjai - Anadheenam	-

41/87	1.21.5	Govt. Punjai - Anadheenam
41/91	0.60.5	Govt. Punjai - Anadheenam
41/92	0.60.5	Govt. Punjai - Anadheenam
41/94	0.67.5	Govt. Punjai - Anadheenam
41/95	0.40.5	Govt. Punjai - Anadheenam
41/96	0.38.5	Govt. Punjai - Anadheenam
41/97	0.40.5	Govt. Punjai - Anadheenam
41/98	1.21.5	Govt. Punjai - Anadheenam
41/99	0.81.0	Govt. Punjai - Anadheenam
41/102	0.40.5	Govt. Punjai - Anadheenam
41/103	0.40.5	Govt. Punjai - Anadheenam
41/104	0.40.5	Govt. Punjai - Anadheenam
41/105	0.40.5	Govt. Punjai - Anadheenam
41/106	0.40.5	Govt. Punjai - Anadheenam
41/107	0.40.5	Govt. Punjai - Anadheenam
41/108	1.21.5	Govt. Punjai - Anadheenam
41/111	1.21.5	Govt. Punjai - Anadheenam
41/114	0.40.5	Govt. Punjai - Anadheenam
41/115	0.40.5	Govt. Punjai - Anadheenam
41/116	0.60.5	Govt. Punjai - Anadheenam

41/117	0.60.5	Govt. Punjai - Anadheenam
41/118	0.40.5	Govt. Punjai - Anadheenam
41/119	0.40.5	Govt. Punjai - Anadheenam
41/120	0.40.5	Govt. Punjai - Anadheenam
41/121	1.21.0	Govt. Punjai - Anadheenam
41/122	0.40.5	Govt. Punjai - Anadheenam
41/123	0.40.5	Govt. Punjai - Anadheenam
41/124	0.40.5	Govt. Punjai - Anadheenam
41/125	0.40.5	Govt. Punjai - Anadheenam
41/126	0.40.5	Govt. Punjai - Anadheenam
41/127	0.40.5	Govt. Punjai - Anadheenam
41/128	0.40.5	Govt. Punjai - Anadheenam
41/129	0.40.5	Govt. Punjai - Anadheenam
41/130	0.40.5	Govt. Punjai - Anadheenam
41/131	0.40.5	Govt. Punjai - Anadheenam
41/132	0.40.5	Govt. Punjai - Anadheenam
41/133	0.40.5	Govt. Punjai - Anadheenam
41/134	1.21.5	Govt. Punjai - Anadheenam
41/135	0.40.5	Govt. Punjai - Anadheenam
41/136	0.40.5	Govt. Punjai - Anadheenam
41/137	0.40.5	Govt. Punjai - Anadheenam

41/137	0.40.5	Govt. Punjai - Anadheenam
41/138	0.40.5	Govt. Punjai - Anadheenam
41/139	0.40.5	Govt. Punjai - Anadheenam
41/140	0.40.5	Govt. Punjai - Anadheenam
41/141	0.40.5	Govt. Punjai - Anadheenam
41/142	0.40.5	Govt. Punjai - Anadheenam
41/143	0.67.5	Govt. Punjai - Anadheenam
41/144	0.40.5	Govt. Punjai - Anadheenam
41/145	0.40.5	Govt. Punjai - Anadheenam
41/146	0.54.5	Govt. Punjai - Anadheenam
41/147	0.52.5	Govt. Punjai - Anadheenam
41/148	0.48.5	Govt. Punjai - Anadheenam
41/149	0.44.5	Govt. Punjai - Anadheenam
As per the Computerized "A" Register		
Total Extent	- 109.06.5 hectares	
As per the Computerised "A" Register, the subject lands in S.No. 41 was subdivided into many subdivisions and recorded as "Government Punjai" except the lands in S.No. 41/1A and 41/15.		

(iii) While so, during the year 1996, among the above mentioned survey numbers, for a portion of the lands involved in S.No. 41/3, the then Assistant Settlement Officer, Tiruvannamalai in his Proceedings in S.R.26/96, dated 13.6.1996, without any jurisdiction had created a claim in favour of Thiru. Muthusamy and 11 others for an extent of 16.19.5 hectares in S.No.41/3 at Karunguzhipallam village under section 11(a) of Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (the Tamil Nadu Act XXVI/48) and it is imperative to mention here that the lands in which patta allowed for the above

mentioned lands was classified as "Government Poramboke-Kazhuveli" as per the RSR "A" Register in the year 1911, the total extent involved in the above mentioned S.No. 41/3 is 269.49 acres and the village is a Ryotwari village from the beginning. Having noticed the irregularities in the Assistant Settlement Officer's orders, the then Settlement Officer in his letter dated 26.5.97 has sent a proposal to the Special Commissioner and Commissioner of Land Administration to review the Assistant Settlement Officer's orders. After reviewing the case, the then Special Commissioner and Commissioner of Land Administration in his order No. D2/9144/1997 dated 26.9.1997 had set aside the orders of the Assistant Settlement Officer, Tiruvannamalai dated 13.9.96 on the grounds that the ASO had no powers/jurisdiction to pass orders in the Ryotwari village and the provisions of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act XXVI/1948 did not apply in the issue.

(iv) Similarly, in the year 2001, Tmt. Vijayalakshmi and Tmt.Rajeswari had made a representation requesting to issue patta for an extent of 121 acres in S.No.41/3 of Karunguzhipallam Village, Chengalpattu Taluk and Kancheepuram District after reclassification of the lands as in the UDR "A" Register from "Government Dry- Anadheenam" to 'Ryot Punjai". Upon this, the District Revenue Officer, Kancheepuram, in his order No. R.Dis.(H1)37258/2001 dated 25.04.2002 had illegally granted patta to Tmt.Rajeswari and Tmt.Vijayalakshmi for an extent of 60 acres each in S.No.41/3 of Karunguzhipallam Village of Kancheepuram District, purportedly exercising his authority of appeal against the UDR wherein the land was classified as "Anadheenam". Pursuant to the District Revenue Officer's Order, the Collector, Kancheepuram in his D.O. letter No.H1/40410/2002, dated 05.01.2003 filed a report on his investigation of the matter and requested the Special Commissioner and Commissioner of Land Administration to review the orders of the District Revenue Officer, dated 25.04.2002 stating that the orders were illegal and irregular and to consider taking suo motu revision to correct the situation, on the irregular order passed by the DRO, Kancheepuram dated 25.4.2002 without power for reclassification of Government Poramboke-Kazhuveli (Backwater) into "Ryot Punjai", the then SC & CLA in his order dated 21.12.2004 had rightly cancelled the orders of the DRO and restored the lands into Kazhuveli (Backwater).

(v) Against the said orders of the SC/CLA, dated 26.9.1997, Tvl. P.M.Ismail and others, i.e. subsequent purchasers from Tvl. Muthusamy and 11 others i.e. beneficiaries of the order of the ASO, Tiruvannamalai dated 13.9.1996 filed the Writ Petition in W.P.Nos.16776, 16804 and 16859 of 1997 before the Hon'ble High Court of Madras. The Hon'ble High Court by its order dated 17.11.1997 allowed the Writ Petitions and directed the Special Commissioner and Commissioner of Land Administration to issue show cause notice to the respective writ petitioners, setting out the grounds as to why the orders of the Assistant Settlement Officer should not be set aside, and then pass suitable orders.

(vi) Pursuant to the above directions of the Hon'ble High Court of Madras, the beneficiaries of ASO's order dated 13.5.1996 and the Writ petitioners were heard by the then succeeding SC/CLA in his order No. K1/3172/1996 dated 21.3.2007 had observed that

“The files relating to a suo motu revision of one Tmt. Rajeshwari and Vijayalakshmi in which my predecessor had passed an order dated: 21.12.2004 vide ref. R.Dis. K1/44382/2002 in respect of and in Survey No. 41/3 of Karunguzhipallam Village measuring 121 acres. It appears that Tmt. Rajeshwari and Vijayalakshmi have obtained patta pursuant to an order passed by the District Revenue Officer, Kancheepuram in his proceeding R.Dis. HI/37258/01, dated 25.04.2002. In the said proceedings the said claimants have admitted the sale deeds in favour of Mr. Muthukrishna Naidu in favour of Mr Kapali Pillai. They have referred to the will dated 23.10.1987 executed by Mr. Muthukrishna Naidu. When the property has been sold by Muthukrishna Naidu in the year 1936 itself, the reliance placed by Tmt. Rajeshwari and Vijayalakshmi on a will purported to have been executed on 23.10.1987, which raised doubt. They have also argued that the land is a private land and not a Government land. My predecessor in page 7 of his order had also referred to the earlier direction of the Special Commissioner and Commissioner of Land Administration dated 13.6.2001, to consider the claims of Tmt Rajeshwari and Vijayalakshmi, based on the possession and enjoyment after verifying the records. The District Revenue Officer has simply accepted the documents produced by the claimants without calling for reports from Tahsildar and Revenue Divisional Officer and examining the claims of other parties. After the writ petition filed by them, the matter was brought to the notice of the then Commissioner of Land Administration. My predecessor had observed that the claims of the respondents are imaginary and the order of the District Revenue Officer lacks application of mind. Based on these observations, the then Commissioner of Land Administration in his order dated: 21.12.2004 had observed that the title has not been proved and rightly set aside the order of the District Revenue Officer dated 25.4.2004.”

(vii) Further, the then succeeding SC/CLA in his order dated 21.3.2007 had given his findings as below: -

- a. The suit land of 40 acres is a patta land and wrongly classified as “Kazhuveli” Poramboke.
- b. The Assistant Settlement Officer has no jurisdiction as this village is an Ryotwari Village and hence his order No. S.R.No.26/96, dated 13.5.96 is hereby cancelled.
- c. For patta, the claimants should approach the appropriate revenue authority by providing the relevant documents and enjoyment rights.
- d. Any dispute in title, the claimants should approach *the Competent Civil Court*.

(viii) In view of above, both the orders of the then SC & Commissioner of Land Administration dated 21.12.2004 and the then succeeding SC & Commissioner of Land Administration have been analysed with reference to the records.

- a. In the Revision-Survey and Re-Settlement Register of No.117 Karunguzhipallam village of Chingleput Taluk and District denotes that the resettlement was introduced in this village Fasli 1319 (Calendar year 1909)

and finalized in the year 1911 (Fasli 1321). In the Register, the land in S.Nos.13 to 17, 19 to 24, 25 to 30/1, 30/5, 31, 32, 37 to 41 have been notified as "Government Poramboke-Kazhuvveli (Backwater)".

- b. Since, the lands are classified as early in 1911, Government Poramboke Kazhuvveli (Backwater), an objectionable water course poramboke, the question of granting patta, entering insolvent thereby leading to auction, all these activities were clearly ruled out in a clear speaking order by the then SC and CLA with a specific mention that the claimants had no linkage of documents authenticity and on a water course land already got settled in 1911, the claims are void and rejected.
- c. In the succeeding order passed to other parties by the then succeeding SC and CLA in 2007, in para 9 of the said order, he has upheld the findings of the then SC and CLA's order dated 21.12.2004. Even in the earlier direction of the then SC & CLA dated 13.6.2001, on the representation of Tmt. Vijayalakshmi, the District Revenue Officer, Kancheepuram was requested to take action as per rules after verifying the documents and records.
- d. It is also pointed out that the irregular orders passed by the ASO dated 13.6.1996 was cancelled by the then preceding SC & CLA as the ASO had no powers/jurisdiction to pass orders in the Ryotwari village and the provisions of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act XXVI/1948 did not apply in the issue.
- e. Further, on the irregular order passed by the DRO, Kancheepuram dated 25.4.2002 without power for reclassification of Government Poramboke-Kazhuvveli (Backwater) into "Ryot Punjai", the then SC & CLA had rightly cancelled the orders of the DRO and restored the lands into Kazhuvveli (Backwater).
- f. The main objects of the UDR Scheme were:
 - i. *To convert the acre measurements into hectares in the village accounts.*
 - ii. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
 - iii. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*
- g. The then SC & CLA has correctly ordered that UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The contention of the claimants that the term "Anadheenam" refers to private patta land was misconstrued and patently incorrect as they only

appear to be taking advantage of mistakes by officials rather than on the basis of the substantive character of their claim.

- h. While coming back to the orders of the then succeeding SC and CLA, though he had upheld the orders of the predecessor dated 21.12.2004 had passed orders stated that the suit lands in S.No. 41/3 are patta lands which is totally not correct and misconstrued. It is also subject to verification whether the self-same matter can be adjudicated by the succeeding SC/CLA and declaring the same suit land in S.No.41/3 as patta land when the predecessor has declared it as "Government poramboke – Kazhuveli." In respect of change of classification of water courses, no authority is competent to change such classification.
- i. It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wetland ecology.
- j. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by the Hon'ble Supreme Court in many cases.

(ix) In view of foregoing reasons as stated above, in this office proceedings Roc. No. K1/1860/2017 dated 16.3.2021, the Principal Secretary /Commissioner of Land Administration has passed an order declaring that orders of the SC/Commissioner of Land Administration dated 21.3.2007 classifying the lands in S.No. 41/3 measuring an extent of 40 acres in Karunguzhipallam village as patta lands were null and void and to restore the entire lands to their original classification as highly objectionable water course "Government poramboke-Kazhuveli (Backwater)". Also, the District Collector, Chengalpattu was instructed to cancel all the wrongly issued pattas in the entire lands in S.Nos.13 to 17, 19 to 24, 25 to 30/1, 30/5, 31, 32, 37 to 41 which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands were ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records. The District Collector, Chengalpattu was also directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable**

ecologically sensitive backwater water course poramboke. Further, the District Collector, Chengalpattu was directed to notify in the District Gazette, the entire lands of Kazhuveli in Karunguzhipallam village, i.e. S.Nos.13 to 17, 19 to 24, 25 to 30/1, 30/5, 31, 32, 37 to 41 to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. The District Collector, Chengalpattu was also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

(x) In this context, the District Collector, Chengalpattu in his letter dated 27.8.2021 has stated that consequent to the order dated 16.3.2021 passed by PS/Commissioner of Land Administration, the orders were issued vide his proceedings in Roc. No. B4/40410/2002 dated 19.3.2021 for reclassifying the lands in 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41 (except the lands in S.No. 13, 41/1A, 26/2 and 41/15)as "Government Poramboke-Kazhuveli (Backwater)" i.e the original classification asin the RSR "A" Register during year 1911 and also ordered that necessary changes be carried out in the relevant revenue records to this effect and also the report has been received from the Sub Registrar, Thiruporur to the effect that the guideline value of the above mentioned survey numbers are assigned as zero value and that necessary criminal and departmental action is being taken against the officials who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a highly objectionable ecologically sensitive backwater water course poramboke.

3. Aggrieved by the above order of the PS/Commissioner of Land Administration dated 16.3.2021, Tvl. P.I. Mohammed Kutty @ Mammooty and 4 others have filed a Writ Petition in W.P.No. 16419/2021 before the Hon'ble High Court of Madras with a prayer to call for the records of the first respondent (i.e. the PS/Commissioner of Land Administration) dated 16.3.2021 vide ref. Roc. No. K1/1860/2017 and quash the same. Besides this, Tvl. R. Gnanaprakasam and etc. have also filed the Writ Petitions separately in W.P.No. 2077/2017, 2080/2017, 25161/2012 and 28474/2012 before the Hon'ble High Court of Madras relating to the subject matter of similar lands in S.No. 41/3 at Karunguzhipallam village, Thiruporur Taluk, Chengalpattu District (Erstwhile Kancheepuram District). In its order dated 21.12.2021, the Hon'ble High Court of Madras has passed the following order in the above mentioned Writ Petitions as detailed below: -

W.P.No. 16419/2021:

"4. Though the first respondent passed detailed order, admittedly no notice was issued to the petitioners or any other persons, who were issued patta as per the order dated 21.3.2007 on the file of first respondent. They were not given any opportunity of hearing and the first respondent passed an impugned order. Therefore, it amounts to violation of principles of natural justice. On the sole ground alone, the impugned order passed by the first respondent cannot be sustained and it is liable to be set aside.

15. *In view of the above, the impugned order dated 16.3.2021 vide ref. No. K1/1860/2017 passed by the first respondent is hereby quashed. The matter is remanded back to the first respondent for fresh disposal. It is made clear that the first respondent is directed to issue notice to the petitioners and the respondents 6 & 7 and other claimants over the subject land, if any within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the first respondent is directed to give them an opportunity of hearing and pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.*

W.P. Nos. 2077 and 2080 of 2017:

“17. In view of the order passed in W.P.No. 16419 of 2021, seeking patta in W.P.Nos. 2077 & 2080 of 2017 cannot be considered now. If they succeed before the Principal Secretary/Commissioner of Land Administration and the suits between the rival claimants, they are at liberty to apply for issuance of patta for the subject land before the authority concerned.”

W.P.Nos. 28474 & 25161 of 2012:

“18, In view of the impugned order dated 16.3.2021 vide ref. Roc. No. K1/1860/2017, passed by the first respondent, W.P.Nos. 28474 & 25161 of 2012 dismissed as infructuous.”

4. Based on the above direction of the Hon'ble High Court of Madras, this case was posted for hearing before this Forum on 21.1.2022, 7.3.2022 and 23.3.2022 respectively with the Writ Petitioners and the Respondents/interested parties concerned and necessary enquiry was already completed in respect of the portion of lands measuring an extent of 40 acres in S.No. 41/3 at Karunguzhipallam village. Regarding the representations received from the interested persons/present petitioners in connection with the lands in S.Nos. 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41, the District Collector, Chengalpattu was requested vide this office letter dated 12.5.2022 to send a detailed enquiry report after enquiry made with the interested parties concerned with respect to the above mentioned survey numbers.

5. Accordingly, after conducting a detailed enquiry with the present petitioners/ interested parties concerned, the District Collector, Chengalpattu in his letter dated:5.6.2023 has sent a detailed enquiry report along with the copies of Encumbrance Certificates for the survey numbers 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41 at Karunguzhipallam village obtained from the Sub Registrar concerned, extract copy of OSR, RSR, UDR "A" Register copy with respect to the lands in S.Nos. 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41 at Karunguzhipallam village and requesting to pass appropriate orders in this regard.

6. Though the present petitioners/the interested parties concerned were enquired by the District Authorities and in order to comply with the directions

issued by the Hon'ble High Court of Madras in W.P.No. 16419/2021, this Forum has decided to give one more and final/last opportunity to the interested parties concerned with respect to S.Nos. 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41 and accordingly, this case was posted for hearing on 19.9.2023, 20.9.2023 and 21.9.2023 respectively. Hence, the hearing notices dated 7.9.2023 & 8.9.2023 were issued to the interested persons/present petitioners with a request to file any additional written submission along with the documents copy if any which are omitted to be filed before the enquiry made by District Administration to this office on or before 19.9.2023,20.9.2023 & 21.9.2023 and also they were requested to be present in person or by their Counsel duly authorized for appearance on their behalf on the above mentioned date. On the date of enquiry held on 19.9.2023, 20.9.2023 & 21.9.2023, the following present petitioners/interested persons were present and they have informed that a copy of the relevant documents/records were already filed before the District Collectorate, Chengalpattu during the enquiry conducted by them with respect to the title over their claim.

I) For S.No.13:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu as well as this office Forum with respect to S.No.13:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/ records filed before this Forum during enquiry conducted on 19.9.2023
1.	Thiru. Chandrasekar Buddha S/o. Venkatesaiah	13/12A2	2410 (Plot No.304B)	It is stated in the Collector's report that the interested person had purchased the lands from one Tmt. Banumathi Vasudevan through a copy of the sale deed documents No. 5082/2012 dated 16.5.2012 and the said seller i.e. Tmt. Banumathi Vasudevan who had got title over the lands from one	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

				Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 1184/1966 and a copy of the above sale deed document was produced by the petitioner.	
2.	Thiru. B.C.Balakrishnan S/o Chidambaram	13/12B	4800 (Plot No. 304D)	It is stated in the Collector's report that the interested person were had purchased the lands from one Tmt. Banumathi Vasudevan through a copy of the sale deed document No. 2760/2012 dated 24.2.2012 and the said seller i.e. Tmt. Banumathi Vasudevan, who had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 1184/1966 and a copy of the above sale deed document was produced by the petitioner.	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	Thiru. Muthuselvan S/o. Pazhaniyappan	13/12	2450	It is stated in the Collector's report that the interested person were had purchased the lands from one Tmt. Banumathi Vasudevan through a copy of the sale deed document No. 1761/2012 dated 24.2.2012 and the said seller i.e. Tmt. Banumathi Vasudevan,	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate,

				who had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 1184/1966 and a copy of the above sale deed document was produced by the petitioner.	Chengalpattu.
4	Thiru. Srinivasan S/o. Jeyaraman	13/12C	2400 (Plot No.304A)	It is stated in the Collector's report that the interested person had purchased the lands from one Tmt. Banumathi Vasudevan through a sale deed document No.3284/2012 dated 28.3.2012 and the said seller i.e. Tmt. Banumathi Vasudevan, who had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 1184/1966 and a copy of the above sale deed document was produced by the petitioner.	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	Thiru. Sridharan S/o. Sivasubramanian	13/16B	5115 + 5280 (totally 10395) (Plot Nos. 314 & 315)	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. Sivakumar, Power Agent of Thiru. Chidambaram S/o. Annamalai Chettiar through the sale deed document in No.	Copy of the sale deed documents for which were already produced before the District Collectorate, Chengalpattu is once again

				10696/2016 dated 7.9.2016 and 10616/2016 dated 2.9.2016 and the said seller, Thiru. Chidambaram S/o. Annamalai Chettiar had got title over the lands by way of purchase from one Thiru. Jaganathan, Power Agent of Tvl. Najmuddin & others through sale deed document No. 2010/2006 and a copy of the above sale deed document was produced by the petitioner.	furnished by the present petitioner.
6.	Thiru. Shaik Khaleel Baig S/o. Shaik Rahim Baig	13/12	2430 (Plot No. 304/C)	It is stated in the Collector's report that the interested person had purchased the lands from one Tmt. Banumathi Vasudevan through a sale deed document No.3277/2012 dated 28.3.2012 and the said seller i.e. Tmt. Banumathi Vasudevan who had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 1184/1966 and a copy of the above sale deed document was produced by the petitioner.	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
7.	Thiru. Pramothkumar	13/1A4	4965 + 7200	It is stated in the Collector's report that the interested person	No additional documents were

	S/o. C.B.Singh		(Plot No.305(pt)	had purchased the lands from one Thiru. Jeganathan Santhanam Pillai vide sale deed document No. 4552/2006 dated 23.5.2006 and that the said Jeganathan also sold the lands to Tmt. Archana Ashchandravide vide sale deed document No. 4405/2006 dated 18.5.2006 and a copy of the above sale deed document was produced by the petitioner.	produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.
8.	Tmt Banumathi W/o. Janakiraman	13/1A	4800 Sq.ft.	As per the Collector's report that the interested parties had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai through Will deed and that said executor, Thiru. P. Ganesan had got title over the lands by way of purchase from one Tmt. Suseela W/o. Sampantham who had title over the lands through a sale deed document No. 2505/1966 and a copy of the above sale deed document was produced by the petitioner.	Copy of the sale deed documents for which were already produced before the District Collector, Chengalpattu is once again furnished by the petitioner.

As per the report of the District Collector, Chengalpattu for S.No13:

It is stated that it can be seen from the OSR "A" Register that the subject lands in S.No. 13 was classified and recorded as "Sarkar Punjai" without mentioning pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that

the said lands in S.No. 13 measuring an extent of 7.19 acres is classified as "Government Punjai".

Encumbrance Certificate (for S.No. 13 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that it can be seen from the Encumbrance Certificate for a period from 1.1.1900 to 31.12.1975 (for 75 years), the following transactions were effected with respect to the subject lands in S.No. 13 at Karunguzhipallam village.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	13	7.19 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	13	7.19 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	13	7.19 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	13	7.19 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	13	Out of 7.19 acres, 2.40 acres(1/3rd part)	Thiru. Shanmuga Asari(B)(1) Thiru. Saminatha Asari (B)(2) Thiru. Vadivel Asari (B) (3)		1018/1960 & 17.6.1960
6.	13	7.19 acres	Thiru. Shanmuga Asari(E)(1) Thiru. Saminatha Asari (E)(2) Thiru. Vadivel Asari (Eg)(3)	Tmt. Suseela Ammal	753/1963 & 25.6.1963

		Thiru. Veerabathiran(EM)	
		Thiru. Thirunavukarasu(EM)	
		Thiru. Nagalingam(EM)	
		Thiru. Saravanan(EM)	

Justification Report furnished by the District Collector, Chengalpattu for S.No.13:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 13 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subbraraya Kottradiar and he executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. After that, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that it is verified from the Encumbrance Certificate that the lands in S.No. 13 measuring an extent of 7.19 acres was shared equally (i.e. 1/3rd portion of each) by three persons viz. Thiru. Shanmuga Asari(B)(1) Thiru. Saminatha Asari (B)(2) and Thiru. Vadivel Asari (B)(3) through a partition deed document No. 1018/1960. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners to show how the lands were transferred to one Thiru. Shanmuga Asari and 2 others from Thiru. G. Sirur. The District Collector has also stated that it is seen from the Encumbrance Certificate for the period from 1.1.1975 to 18.11.2022 that Tvl. Shanmuga Asari and 6 others had sold out the subject lands measuring an extent of 7.19 acres in S.No. 13 to Tmt. Suseela vide sale deed document No. 753/1963 and thereafter, the Power Agent of said Suseela Ammal, Thiru. P. Ganesan had sold the lands in favour of various individuals in between the years 1975 and 2022. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 13 registered as patta lands stood in the names of Tvl. Suseela Ammal(1), Nazmudeen(2) and these persons were subsequently sold these lands to various individuals and the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e. Tvl. Suseela Ammal(1) and Nazmudeen(2) have got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1960 i.e. after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Sirur to Tvl. Suseela ammal, Nazmudeen(2)(i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction took place in the above lands in S.No. 13 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 13 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to the title over the subject lands in S.No. 13 could not be considered.

Findings of this Forum with respect to S.No.13:-

Based on the report of the District Collector, Chengalpattu enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 13 was classified and recorded as "Government Punjai" without mentioning the pattadhar's name during the 1911, RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. Further, it has been reported by the District Collector, Chengalpattu that no relevant documentary evidence is produced by the present petitioners/interested persons to show how the lands were transferred to Thiru. Shanmuga Asari(B)(1), Thiru. Saminatha Asari(B)(2) and Thiru. Vadivel Asari(B)(3) from Thiru. Sirur during the year 1960. Even these claimants have never made any claims or paid kist which was the reason they were cited as defaulters in the Gazettes issued from the years 1929 to 1933. The burden of proof lies with the petitioners in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the present petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have and got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the Resettlement period but in the UDR Scheme, these lands were classified as "patta lands" stood in the name of Thiru. Murugan under Patta No. 112.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Government Dry" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties based on the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.14 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belonging to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by the Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 13 measuring a total extent of 2.91.0 hectares (7.19 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly

objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 13 measuring a total extent of 2.91.0 hectares (7.19 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**. The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 13 measuring a total extent of 2.91.0 hectares (7.19 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

II) For S.No.14:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.14:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 19.9.2023
1.	Tmt. Ophilia Ustine	14/13	7200 & 3600 (Plot No. 542 & 533)	It is stated in the Collector's report that the interested person had purchased the lands from Tvl. Rajendran and Ekambaram vide sale deed document No. 2268/2014 & 2269/2014 dated 14.2.2014 and that the said sellers had got title over these lands by way of previous documents	The present petitioner appeared for enquiry and furnished the Encumbrance certificate for the period from 1.9.1987 to 14.9.2023 and a copy of Computerized 10(1) Chitta. Other than these, no documents were pro

				nts No. 8372 of 2011 & 18269 & 18270 of 2013 dated 27.12.2013 and a copy of the above sale deed documents were produced by the present petitioner.	duced by the petitioner.
2.	Tmt. Bhuvaneshwari	14/8A2	4800 & 4800 (Plot No. 545 & 546)	It is stated in the Collector's report that the interested person had purchased the lands from one Tmt. Santha, Power Agent of Tmt. Yamunabai vide sale deed document Nos. 5721 & 5722 of 2010 dated 9.8.2010 and that the said seller had got title over the lands from one Thiru. P. Ganesan S/o. Perumal Pillai, Power Agent of one Tmt. Suseela W/o. Sampantham Chettiar vide document No. 286/1982 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.
3.	Tmt. Maragatham W/o. Ramachandran	14/2A2A1	4800 sq.ft & 7200 sq.ft (totally 0.11.70 Ares) (Plot No. 562 & 561)	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. Ramachandran vide sale deed document No. 3061 & 3062 of 2019 dated 25.2.2019 & 11.3.2019 and that the said sellers had got title over these lands by way of purchase from one Thiru. Prabhakaran S/o. Elumalai vide sale deed document No. 490 of 2012 and a copy of the above	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.

				sale deed documents were produced by the present petitioner	
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As per the report of the District Collector, Chengalpattu for S.No. 14:-

It can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 14 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 14 measuring an extent of 8.67 acres is classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (for S.No. 14 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years in which the following transactions were made with respect to the subject lands in S.No. 14.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	14	8.67 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	14	8.67 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	14	8.67 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	14	8.67 (together with some other lands)	Official Assignee, Subbraya Kottadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	14	8.67 acres	Thiru. Appasamy	Thiru. Murugan	324/1940 & 19.4.1940

Justification Report furnished by the District Collector, Chengalpattu for S.No.14:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 14 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar mortgaged the said lands in favour of one Thiru. Sirur by a deed of mortgage in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate that the lands in S.No. 14 measuring an extent of 8.67 acres was sold out by Thiru. Appaswamy to Thiru. Murugan vide document No. 324/1940 and how the said Appaswamy got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners to show that how the lands were transferred to one Thiru. Appaswamy from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 14 registered as patta lands stood in the name of Thiru. Murugan under patta no.112 without any basis of title documents to prove that the subject lands were patta lands which belonging to Thiru. Murugan. Further, the present petitioners/interested persons did not produce any documentary evidence to prove how present pattadhar i.e. Thiru. Murugan got title over the subject lands in his favour.

The District Collector has further added that it is verified from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1940 i.e. after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Sirur to Thiru. Appaswamy and Thiru. Murugan i.e. the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 14 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 14 was without any basis of proper link documents and state on ground these lands are lying waste and nobody enjoying the possession of these lands for the past many decades. Hence, the District Collector has stated that the present claim of the interested persons regarding the title over the subject lands in S.No. 14 could not be considered.

Findings of this Forum with respect to S.No.14:-

Based on the report of the District Collector, Chengalpattu enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 14 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911, RSR "A" Register and the same was treated as patta land during

1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners/interested persons to show that how the lands were transferred to Thiru. Appasamy from Thiru. Sirur. Even these claimants have never made any claims or paid kist which was the reason they were cited as defaulters in the Gazettes issued from the years 1929 to 1933. The burden of proof lies with the petitioners in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the present petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have and got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the Resettlement period but in the UDR Scheme, these lands were classified as "patta lands" stood in the name of Thiru. Murugan under Patta No. 112.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Government Dry" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right

title over the subject properties based on the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.14 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belonging to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by the Hon'ble Supreme Court in many cases

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 14 measuring a total extent of 3.51.0 hectares (8.67 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 14 measuring a total extent of 3.51.0 hectares (8.67 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 14 measuring a total extent of 3.51.0 hectares (8.67 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

III) For S.No.15:

Details of the Present petitioners/interested persons participated in the

enquiry conducted by the District Collector, Chengalpattu and this office Forum with respect to S.No.15:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collector Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 19.9.2023
1.	M/s. Mallikavathi Educational Trust (Rep. by one Thiru. N.S. Ramesh)	15	6.74 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. Loganathan S/o. Umapathy vide sale deed document No. 546 of 1999 dated 30.3.1999 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and furnished the extract copy of UDR "A" Register of the subject survey number and 10(1) Chitta patta copy of the said survey number. Other than these, no additional documents were produced by the petitioner.

As per the report of the District Collector, Chengalpattu for S.No.15:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 15 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 15 measuring an extent of 6.74 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli (Backwater)**".

Encumbrance Certificate (for S.No. 15 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years and the following transactions were made with respect to the subject lands in S.No. 15.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	15	6.74 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	15	6.74 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	15	6.74 (together with	Thiru. Anandalwar	Thiru. Sirur(a)	615/1928

		some other lands)			& 21.5.1928
4.	15	6.74 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	15	6.74 along with certain lands)	Rukmani Krishta Naidu	Thiru. Bhakthavachalla Naidu	854/1937 & 31.7.1937

Justification Report furnished by the District Collector, Chengalpattu for S.No.15:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 15 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that the lands in S.No. 15 measuring an extent of 6.74 acres was sold by Thiru. Rukmani Krishta Naidu to Thiru. Bhakthavachala Naidu vide document No. 854/1937 dated 31.7.1937 and how, the said Thiru. Rukumani Krishta Naidu got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show that how the lands were transferred to one Rukumani Krishta Naidu from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 15 recorded as patta lands stood in the name of Thiru. Subbaraya Naicker without any title documents to prove that the subject lands are patta lands which belonging to Thiru. Subbaraya Naicker and that the present interested persons did not produce any documentary evidence to prove how present pattadhar i.e. Thiru. Subbaraya Naicker had got the title over the subject lands in his favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1937 after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners regarding the transactions of the subject lands from Thiru. Sirur to Thiru. Rukmani Krishta Naidu and Thiru. Subbaraya Naicker i.e. the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 15 could not be treated as a right of sale transactions.

Therefore, the District Collector has stated that the patta issued for S.No. 15 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that present claim of the interested persons with regard to the title over the subject lands in S.No. 15 could not be considered.

Findings of this Forum with respect to S.No.15:

Based on the report of the District Collector, Chengalpattu enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 15 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911, RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holdes in the purported patta Thiru.Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that the lands in S.No. 15 measuring an extent of 6.74 acres was sold by Thiru. Rukkmani Krishta Naidu to Thiru. Bhakthavachala Naidu vide document No. 854/1937 dated 31.7.1937 and how, the said Thiru. Rukkmani Krishta Naidu got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show that how the lands were transferred to one Rukumani Krishta Naidu from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 15 was recorded as patta lands stood in the name of Thiru. Subbaraya Naicker without any title documents to prove that the subject lands are patta lands which belonging to Thiru. Subbaraya Naicker and that the present interested persons did not produce any documentary evidence to prove how present pattadhar i.e. Thiru. Subbaraya Naicker had got the title over the subject lands in his favour.

Therefore, as stated by the District Collector that the patta issued for S.No. 15 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners/interested persons to show how the lands were transferred to Thiru. Rukumanikrishta Naidu from Thiru.

Sirur. Even these claimants have never made any claims or paid kist which was the reason they were cited as defaulters in the Gazette of 1941. The burden of proof lies with the petitioners in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 year.

At this juncture, it would be pertinent to mention that, if the present petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit land was originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the land was as "patta lands" stood in the name of private individual.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.15 at Karunguzhipallam village of Thiruporur Taluk on the basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 15

measuring a total extent of 2.91.0 hectares (7.19 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 15 measuring a total extent of 2.73.0 hectares (6.74 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 15 measuring a total extent of 2.73.0 hectares (6.74 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

IV) For S.No. 16:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collector, Chengalpattu and this office Forum with respect to S.No.16:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collector Chengalpattu on	Details of the additional documents/ records filed before this Forum during enquiry conducted on 19.9.2023
1.	Tmt. Mahalakshmi W/o. Udhaikumar	16/1	5.00 acres	It is stated in the Collector's report that the present petitioner Tmt. Mahalakshmi W/o. Udhaikumar had purchased the subject lands from Thiru. Jeyaraman S/o. Venkata Rayalu vide a sale deed document no.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document which was already submitted before

			2797/1990 dated 14.11.1990 and a copy of the above sale deed document was produced by the petitioner.	the enquiry conducted by the District Administration to support of her claim.
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As per the report of the District Collector, Chengalpattu for S.No.16:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 16 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 16 measuring an extent of 6.37 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli(Backwater)".

Encumbrance Certificate (for S.No. 16 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years in which the following transactions were effected with respect to the subject lands in S.No. 16.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	16	6.37 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	16	6.37 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	16	6.37 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	16	6.37 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.16:

It can be seen from the Official Gazette of Chennai and Chengalpattu District

dated dated 1.11.1929 in No.11, the suit lands in S.No. 16 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate afterwards in the year 1929 that the lands in S.No.16 was sold by Thiru. Jayaraman to Tmt. Mahalakshmi vide document No. 2797/1990 and how, the said Thiru. Jayaraman got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to Tvl. Jayaraman Naidu and Thiru. Radhakrishnan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 16/1 & 16/2 recorded as patta lands stood in the name of Thiru. Jayaraman Naidu and Radhakrishnan without any title documents to prove that the subject lands are patta lands which belonging to the said individuals and that the present interested persons i.e. Tmt. Mahalakshmi did not produce any documentary evidence to prove that how present pattadhar i.e. Thiru. Jayaraman Naidu and Radhakrishnan had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1990 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Sirur to Thiru. Jayaraman Naidu and Radhakrishnan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above mentioned lands in S.No. 16 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 16 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to the title over the subject lands in S.No. 16 could not be considered.

Findings of this Forum with respect to S.No.16:-

Based on the report of the District Collector, Chengalpattu, enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 16 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911, RSR "A" Register and the same was treated as patta land during 1987 UDR "A"

Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta, Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate afterwards in the year 1929 that the lands in S.No.16 was sold by Thiru. Jayaraman to Tmt. Mahalakshmi vide document No. 2797/1990 and how, the said Thiru. Jayaraman got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show that how the lands were transferred to Tvl. Jayaraman Naidu and Thiru. Radhakrishnan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 16/1 & 16/2 recorded as patta lands stood in the name of Thiru. Jayaraman Naidu and Radhakrishnan without any title documents to prove that the subject lands are patta lands which belonging to the said individuals and that the present interested persons i.e. Tmt. Mahalakshmi did not produce any documentary evidence to prove that how present pattadhar i.e. Thiru. Jayaraman Naidu and Radhakrishnan had got title over the subject lands in their favour. The burden of proof lies with the petitioners in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the present petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.16 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 16 measuring a total extent of 2.58.0 hectares (6.37 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 16 measuring a total extent of 2.58.0 hectares (6.37 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 16 measuring a total extent of 2.58.0 hectares (6.37 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil

Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

V) For S.No. 17:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.17:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/ Records produced before the enquiry conducted by the District Collectorate Chengalpattu on	Details of the additional documents/ records filed before this Forum during enquiry conducted on 19.9.2023
1.	Tmt. Rajalakshmi W/o. Manokaran	17	1596.60 / (Plot No.6)	It is stated in the Collector's report that Tmt. Rajalakshmi S/o. Manokaran had got title over the said property from Tvl. Suseelammal and 5 others through a sale deed document no. 10710/2015 dated 7.4.2015 & 24.8.2015 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and no additional documents were furnished by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
2.	Tmt. Lathamani W/o. Rajkumar	17	1596.60 / (Plot No.5)	It is stated in the Collector's report that Tmt. Lathamani W/o. Rajkumar had got title over the said property	The present petitioner appeared for enquiry and no additional documents were furnished by the petitioner other

				from Tvl. Suseelammal and 5 others through a sale deed document no. 10715/2015 dated 7.4.2015 & 24.8.2015 and a copy of the above sale deed document was produced by the petitioner.	than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	Thiru. Vijayakumar S/o. Shanmugam	17	1596.60	It is stated in the Collector's report that the petitioner had got right over the lands through a sale deed document No. 18004/2015 and however during enquiry, the present petitioner /interested persons did not produce the copy of sale deed document No. 18004/2015 in which relied upon his claim and that it can be seen from the Encumbrance Certificate for year 2015 that the above mentioned sale transaction was not existence therein.	The petitioner appeared for enquiry and no additional documents were produced to right title over his claim neither before the District Administration nor before this Forum.
4.	Tmt. Mary Dominic (Alias) Santhanamary S/o. Dominic	17/18	-	It is stated in the Collector's report that the petitioner had got right over the lands through a sale deed document No.	Though a hearing notice was sent to the petitioner, but he did not turn up for enquiry.

				315/1966 and produced a copy of sale deed document No. 315/1966 in which relied upon his claim.	
5.	Tmt. Hema Srinivasan, W/o. Late Srinivasan	17	-	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking patta. Though a hearing notice was sent to the petitioner, she did not turn up for enquiry. No document put forth by the petitioner neither before the District Administration nor before this Forum.
6.	Tmt. Uma Sivan, W/o. S. Thanka Sivan	17/1A1B & 17/9	5006 (Plot No.23) & 4863 (Plot No.21)	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During an enquiry, the petitioner's counsel has produced a copy of the sale deed documents to right title over her claim.
7.	Thiru. Sivaguru Pandian S/o. Thiru. Ravirajapandian	17/9A	4855 (Plot No.20)	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During an

					enquiry, the petitioner has produced the copy of the sale deed documents to right title over his claim.
8.	Tmt. M. Pankajam W/o. V.g Thyagarajan	17	1596.6	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During the enquiry, the petitioner's counsel has produced a copy of the sale deed document No. 10713 of 2015 dated 7.4.2015 to right title over her claim.
9.	Thiru. V. Ayyadurai	17	4800 (Plot No.36)	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During the enquiry, the petitioner's counsel has produced a copy of the sale deed document to right title over his claim.
10.	Tmt. M. Geethalakshmi D/o. P.S. Mani	17	1596.6	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During the enquiry, the petitioner has produced a copy of the sale deed

					document No. 10711 of 2015 dated 7.4.2015 to right title over his claim.
11.	Thiru. M. Palani S/o. P.S. Mani	17	1596.6	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During an enquiry, the petitioner has produced a copy of the sale deed document No. 10712 of 2015 dated 7.4.2015 to right title over his claim.
12.	Thiru. S. Sumithran	17 & 26/1A2	7200 (Plot No.190)	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta. During an enquiry, the petitioner's counsel has produced a copy of the sale deed documents to right title over his claim.
13	Thiru. S. Balaji S/o. Tmt.S. Bagalakshmi	17/19	6.70 Acre	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta and he has produced a copy of the sale deed document, Encumbrance Certificate along with Chitta copy to right title over

his claim.

Encumbrance Certificate (For S.No. 17 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that it can be seen from the Encumbrance Certificate for a period from 1.1.1900 to 31.12.1975 (for 75 years) and the following transactions were made with respect to the subject lands in S.No. 17 at Karunguzhipallam village.

Sl.No	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	17	7.12 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	17	7.12 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	17	7.12 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	17	7.12 (together with some other lands)	Official Assignee, Subbraya Katradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	17	7.12 (together with some other lands)	Thiru. Sarangapani Naidu	Thiru. Krishtappa Naicker	1617/1941 & 9.12.1941
6.	17	7.12 (together with some other lands)	Thiru. Periyasami Naicker (EG) Thiru. Balamuthu (BM) Kathan, Govindanar, Arumuganar, Devarajinar	Thiru. Umapathi Naicker	1736/1961 & 27.9.1961
7.	17 (Plot No.40, 41)	9600 sq.ft.	Tmt. Subbulakshmi	Thiru. Mani	3159/1968 & 25.7.1968

8.	17 (Plot No. 35)	7200 sq.ft.	Tmt. Mahalakshmi	Tmt. Alamelu Ammal	495/1970 & 20.5.1970
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Justification Report furnished by the District Collector, Chengalpattu for S.No.17:

The District Collector has stated that it can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 17 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradayar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Also, the said Anandalwar assigned the above mentioned lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kotradiator as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that whereas it is verified from the Encumbrance Certificate thereafter in the year 1929 that the subject lands in S.No. 17 was sold out by Thiru. Sarangapani Naidu to Thiru. Krishtappa Naicker vide document No. 1617/1941 dated 9.12.1941 and how, the said Thiru. Sarangapani Naidu got title over the lands from Thiru. Sirur had not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners/interested persons to show that how the lands were transferred to one Sarangapani Naidu from Thiru. Sirur.

Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 17 were subdivided into 17/1A, 17/1B,2,3,4,5 and recorded as patta lands stood in the name of Tvl. Umaphathy Naicker and 4 others without any basis of title documents to prove that the subject lands are patta lands which belonging to Thiru. Tvl. Umaphathy Naicker and 4 others. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhar i.e. Tvl. Umaphathy Naicker and 4 others had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1941 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands from Thiru. Sirur to Thiru. Saragangapani Naidu and Tvl. Umaphathy Naicker and 4 others (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 17

could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 17 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 17 could not be considered.

Findings of this Forum: -

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 17 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911 RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

- Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that the subject lands in S.No. 17 was sold out by Thiru. Sarangapani Naidu to Thiru. Krishtappa Naicker vide document No. 1617/1941 dated 9.12.1941 and how the said Thiru. Sarangapani Naidu got title over the lands from Thiru. Sirur had not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners/interested persons to show that how the lands were transferred to one Sarangapani Naidu from Thiru. Sirur. Even these claimants have never made any claims or paid kist which was the reason they were cited as defaulters in the Gazette of 1941. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands were originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. To convert the acre measurements into Metric system in the village accounts.
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties based on the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.17 at Karunguzhipallam village of Thiruporur Taluk on the basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 17 measuring a total extent of 2.88.0 hectares (7.12 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 17 measuring a total extent of 2.88.0 hectares (7.12 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate appropriate disciplinary and criminal action **against those officials** who indulged

in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 17 measuring a total extent of 2.88.0 hectares (7.12 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

VI) For S.No.19:

Details of the present interested persons/pattadhar's name and further Details if any for S.No.19:

SI.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in sq.ft./ Plot No.	Details of the copy of the Documents/ Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/ records filed before this Forum during enquiry conducted on 19.9.2023
1.	Thiru. Saravanan S/o. Sooriyan	18/11 &19/23	4800	The District Collector has stated that it is verified from the Encumbrance Certificate from 1.1.1966 to 31.12.1986 of the SRO, Thiruporur that initially the subject lands was got title over by one Thiru. Ganesan by way of General Power Agent from Thiru. Umpathy and who in turn given his rights to one Thiru. Iqpal S/o. S.M. Munisee vide document No.	The present petitioner appeared for enquiry and furnished copies of the sale deed documents Nos. 9579 of 2017 dated 18.9.2017, 8950 of 2012 dated 12.9.2012 and 2238 of 2007 dated 26.10.2007 and 1462 of 1966 and other than these, no additional documents were produced by the petitioner to

				<p>1462/1966. Thereafter, the said lqpal had sold the property to one Thiru. Sureshkumar S/o. B.A. Balasubramaniam vide document no. 2716 of 2007 and who in turn given his General Power rights to one Thiru. R. Selvakumar vide the document No. 2238 of 2007. After that two many transanctions were took place on the subject lands and finally, the present petitioner Thiru Saravanan S/o.Sooriyan had purchased the subject lands from one Thiru. Radhakrishnan S/o. K. Sooriyan, Power Agent of Thiru. Venkatakrishnan vide document No. 144(IV)/2017 and copies of the sale documents were furnished by the present petitioner.</p>	support of his claim.
2.	Thiru. Ramesh S/o. Rengamani	19(Plot No.154)	4800	<p>It is stated in the Collector's report that the present petitioner Thiru. Ramesh S/o. Rengamani purchased the subject lands from Thiru. Tmt. Vanaja Radhakrishna W/o. Radhakrishnan and who had got the General Power of</p>	<p>The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 10523 of 2011 dated 31.10.2011 and other than these, no additional documents were</p>

				Attorney from one Tmt. Kalyani Srinivasan, vide document No. 10523/2011 and a copy of the above sale deed document was produced by the present petitioner.	produced by the petitioner to support of his claim.
3.	Thiru. Rengamani S/o. Raghavan	19 (Plot No. 149 & 154)	9600 + 4800 (totally 14,400 sq.ft)	It is stated in the Collector's report that the present petitioner Thiru. Rengamani S/o. Raghavan purchased the subject lands from Tmt. Vanaja Radhakrishnan W/o. Radhakrishnan and who had got the General Power of Attorney from one Tmt. Kalyani Srinivasan, vide document No. 10525/2011 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 10525 of 2011 dated 31.10.2011 and other than these; no additional documents were produced by the petitioner to support of his claim.
4.	Tmt. Vidhya W/o. Tamilselvan	19/1A2 (Plot No. 153)	4800	It is stated in the Collector's report that the present petitioner Tmt. Vidhya W/o. Tamilselvan purchased the subject lands from Thiru. Senthilkumar S/o. Natarajan and who had got the General Power of Attorney from Tvl. Krishna Iyer S/o. Kameshwara Rao(1),	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu to support of her claim.

				Venkatajalapathy S/o. Krishna Iyer(2) and Sivasankaran S/o. Krishna Iyer vide document No. 5048/2011 dated 2.6.2011 and a copy of the above sale deed document was produced by the petitioner.	
5.	Thiru. Arockiyathan S/o. Loordhusamy	19 (Plot No.136B)	2400	It is stated in the Collector's report that the present petitioner Thiru. Arockiyathan S/o. Loordhusamy purchased the subject lands from Thiru. Jabakumar who had got the General Power of Attorney from Chidhambaram vide document No. 4170/2012 dated 16.4.2012 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and no additional documents except 10(1) Chitta copy was produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu to support of his claim.
6.	Tmt. Jayadevi W/o. Dominic Saviyo	19 (Plot No.135A)	2400	It is stated in the Collector's report that the present petitioner Tmt. Jyadevi W/o. Dominic Saviyo purchased the subject lands from Thiru. Jabakumar who had got the General Power of Attorney from Chidhambaram vide document No. 4170/2012 dated 16.4.2012 and a copy of the above	The present petitioner appeared for enquiry and no additional documents except 10(1) Chitta copy was produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu to support of her

				sale deed document claim. was produced by the petitioner.	
7.	Thiru. Joshva S/o. Christoper	19 (Plot No.117)	4800	It is stated in the Collector's report that the present petitioner Thiru. Joshva S/o. Christoper had got General Power of Attorney for the subject lands from Tvl. Subramanian(1) &Srineevasan(2) vide document No. 4391/2008 dated 26.11.2008 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
8.	Thiru. Sivalingam S/o. Seemadurai	19 (Plot No.132)	4800	It is stated in the Collector's report that the present petitioner Thiru. Sivalingam S/o. Seemadurai had got General Power of Attorney for the subject lands from Tvl. Subramanian(1) &Srineevasan(2) vide document No. 4391/2008 dated 26.11.2008 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
9.	Thiru. M.R. Ramachandran	19 part	14400	The Petitioner was not enquired before the District Collectorate.	The petitioner has made a representation before this Forum seeking for patta and the petitioner did not

					produce any valid documents to substantiate right over his claim.
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As per the report of the District Collector, Chengalpattu for S.No.19:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 19 was classified and recorded as "Sarkar Punjai" without mentioning pattadhar's name and that no person claimed over the lands or no ryot's name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement "A" Register that the said lands in S.No. 19 measuring an extent of 7.61 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 19 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years in which the following transactions were made with respect to the subject lands in S.No. 19.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	19	7.61 (together with some other lands)	Thiru. Subbaraya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	19	7.61 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	19	7.61 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	19	7.61 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	19/2	1.50	Thiru. Chinnapaiyan	Tmt. Muniyammal	1437/1957 & 7.11.1957
6.	19/2	4.30	Thiru. Ellan	Thiru. Ragavan	624/1961 & 1.5.1961

Justification Report furnished by the District Collector, Chengalpattu for S.No.19:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 19 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya

Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929, the lands in S.No. 19 was sold by Thiru. Chinnapaiyan to Tmt. Muniyammal vide document No. 1437/1957 dated 7.11.1957 and how the said Thiru. Chinnapaiyan got the lands from Thiru. Sirur was not known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Chinnapaiyan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 19 were subdivided into S.Nos. 19/1A,19/1B, 19/2 and registered as patta lands stood in the name of Tvl. A. Athimoolam, Nagappan and Umapathy Naicker without any basis of title documents to prove that the subject lands are patta lands which belonging to Thiru. A. Athimoolam and 2 others. Further, the present interested persons did not produce any valid documentary evidence to prove how present pattadhar i.e. Thiru. A. Athimoolam and 2 others got title over the subject lands in their favour.

The District Collector has further added that it is verified from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1941 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Sirur to Thiru. Chinnapaiyan and Tvl. A. Athimoolam and 2 others (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 19 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 19 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many decades. Hence, the District Collector has stated that the present claim of the interested persons with regard to the title over the subject lands in S.No. 19 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 19 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911 RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners

was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Andalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that the subject lands in S.No. 19 was sold out by Thiru. Chinnapaiyan to Tmt. Muniyaammal vide document No. 1437/1957 dated 7.11.1957 and how, the said Thiru. Chinnapaiyan got title over the lands from Thiru. Sirur had not been known. Further, no relevant documentary evidence is produced by the present petitioners/interested persons to show that how the lands were transferred to one Thiru. Chinnapaiyan from Thiru. Sirur. Even these claimants have never made any claims or paid kst which was the reason they were cited as defaulters in the Gazettes issued from the year 1929 to 1933. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as "Government Kazhuveli Poramboke" for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Backwater) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in primaS facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is

not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.19 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 19 measuring a total extent of 3.08.0 hectares (7.61 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 19 measuring a total extent of 3.08.0 hectares (7.12 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 19 measuring a total extent of 3.08.0 hectares (7.61 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

VII) For S.No. 20:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office

Forum with respect to S.No.20:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No.	Extent in acres Plot No.	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collector Chengalpattu on	Details of the additional documents/records filed before this Forum during enquiry conducted on 19.9.2023
1.	Thiru. Narendhra Ghorpade S/o. Venkatrao Ghorpade	20	10.51	In his report, the District Collector has stated that the subject lands measuring an extent of 10.51 acres was purchased by one Thiru. Sivasamy S/o. Duraisamy from one Tmt. Alamelu Ammal W/o. Murugasen vide sale deed document no. 653 of 1963 dated 12.6.1963 in the O/o SRO, Thiruporur. Thereafter, the said Sivasamy had sold the lands to Tvl. Jayarathina Chettiar, Viswanathan Chettiar and two others vide sale deed document no. 3262 of 1964 dated 10.8.1964 and after that the said sellers had sold the subject lands in favour of Tmt. Ishabella W/o. JJ.L. Gnanaraj vide sale document No. 295/1990 dated 16.2.1990. After that, the said purchaser had divided these properties and gifted these lands in favour of her daughter Tmt. Anitha Wo. Aruldoss Michael Britto through various gift deed documents No. 4130 to 4134 of 2005. One Tmt. Sunitha W/o. Narendra Ghorpade, Power Agent of Tmt Anitha W/o. Aruldoss had sold the subject lands to Thiru. Narendra	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 653 of 1963 dated 12.6.1963, sale deed document no. 3262 of 1964 dated 10.8.1964, sale document No. 295/1990 dated 16.2.1990 and the sale deed document Nos. 4130 to 4134 of 2005 dated 25.6.2005 to support of his claim.

				Ghorpade S/o. Venkatarao Ghorpade (the present petitioner herein) vide document no. 6760 of 2005 dated 6.10.2005 and the copy of these documents were furnished by the present petitioner.	
2.	M/s. Ramgosri Construction Private Limited Rep. by its Power Agent Thiru. R. Srinivasan	20part	5.05 acres	It is stated in the Collector's report that the present petitioner M/s. Ramgosri Construction Private Limited Rep. by its Power Agent Thiru. R. Srinivasan had purchased the subject lands from M/s. ESPIEM Plastics Private Limited through a sale deed document no. 17905/2013 dated 17.12.2013 and a copy of the above sale deed document was produced by the petitioner.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 653 of 1963 dated 12.6.1963, sale deed document no. 3262 of 1964 dated 10.8.1964, sale document No. 295/1990 dated 16.2.1990 and the sale deed document Nos. 4130 to 4134 of 2005 dated 25.6.2005 and sale deed document no. 17905 of 2013 dated 17.12.2013 to support of their claim.
3.	Thiru. Narendhra Ghorpade and Arun B. Raj, Chennai-17.	20/1D	0.594 acre	The interested person did not turn up for enquiry conducted before the District Administration.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 653 of 1963 dated 12.6.1963, sale deed document no. 3262 of 1964 dated 10.8.1964, sale document No. 295/1990 dated 16.2.1990, the sale deed document Nos. 4130 to 4134 of 2005 dated 25.6.2005 and sale

					deed document no. 7996 of 2014 dated 6.6.2014 to support of his claim.
4.	Thiru. Arun B. Raj, Chennai-17.	20/1B	0.973 acre	The interested person did not turn up for enquiry made before the District Administration.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 653 of 1963 dated 12.6.1963, sale deed document no. 3262 of 1964 dated 10.8.1964, sale document No. 295/1990 dated 16.2.1990 , the sale deed document Nos. 4130 to 4134 of 2005 dated 25.6.2005 and sale deed document no. 6759 of 2005 dated 6.10.2005 to support of his claim.

As per the report of the District Collector, Chengalpattu for S.No.20:

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 20 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 20 measuring an extent of 10.51 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 20 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years which reveals that the following transactions were effected with respect to the subject lands in S.No. 20.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	20	10.51	Thiru. Subburaya	Thiru.	1414/1926 &

		(together with some other lands)	Kottradiar	C.Cunniah	4.5.1926
2.	20	10.51 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	20	10.51 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	20	10.51 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	20	10.51 (together with some other lands)	Alameluammal	Sivagami	653/1963 & 12.6.1963

Justification Report furnished by the District Collector, Chengalpattu for S.No.20:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 20 treated as patta land and covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that the lands in S.No. 20 was sold by Tmt. Alameluammal to Tmt. Sivagami vide document No. 653/1963 dated 12.6.1963 and how the said Tmt. Alameluammal got the lands from Thiru. Sirur has not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to

show how the lands were transferred to one Tmt. Alameluammal from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 20 recorded as patta lands stood in the name of Thiru. Sivarama Mudaliar under patta No. 64 without any basis of title documents to prove that the subject lands are patta lands which belonging to Thiru.Sivarama Mudaliar. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhar i.e. Thiru. Sivarama Mudaliar had got right title over the subject lands in his favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the years 1929 to 1963 i.e after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Sirur to Tmt. Alameluammal and Thiru. Sivarama Mudaliar (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 20 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 20 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to the title over the subject lands in S.No. 20 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 20 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911 RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta, Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that the subject lands in S.No. 20 was sold out by Tmt. Alamelu Ammal to Tmt. Sivagami vide document No. 653 of 1963 dated 12.6.1963 and how, the said Tmt. Alamelu Ammal got title over the lands from Thiru.

Sirur had not been known. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioners/interested persons to show how the lands were transferred to one Tmt. Alamelu Ammal from Thiru. Sirur. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. To convert the acre measurements into Metric system in the village accounts.
- b. To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.
- c. To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.20 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course

Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 20 measuring a total extent of 4.25.5 hectares (10.51 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 20 measuring a total extent of 4.25.5 hectares (10.51 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate appropriate disciplinary and criminal action against those officials who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 20 measuring a total extent of 4.25.5 hectares (10.51 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

VIII) For S.No. 21:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.21:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 19.9.2023
1.	Tmt. R. Sankari	21	11.50 Ares	It is stated in the Collector's report that Tmt. Kuppabai Prasath, (i.e. Grandmother present petitioner Tmt. R. Sankari herein) had	The present petitioner did not turn up for enquiry and no additional documents were produced by the

				<p>purchased the subject lands from one Thiru. Ganesan, General Power of Attorney Agent through a sale deed document no. 433/1966 and the present petitioner has requested to issue patta in the names of legal heirs of deceased Kuppabai Prasad and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>petitioner.</p>
2.	<p>Tmt. Kutty Padmini W/o. Prabu Nepal</p>	21/4	5.5 cent	<p>It is stated in the Collector's report that Tmt. Kutty Padmini W/o. Prabu Nepal, present petitioner herein had purchased the subject lands from Tvl. Anbalagan S/o. Sarangabani, General Power Agent of Thiru. Ramachandran S/o. Sarangabani and Saravanan S/o. Ramachandran through a sale deed document no. 11154 of 2006 dated 18.12.2006 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu to support of her claim.</p>
3.	<p>Tmt. Revathy W/o. Rajesh</p>	21 (Plot No. 493A)	2400 sq.ft.	<p>It is stated in the Collector's report that Tmt. Revathy W/o. Rajesh, present petitioner herein had purchased the subject lands from Thiru. Sivakumar S/o.</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale</p>

				Ramadoss who had got General Power of Attorney from one Thiru. Kaliyaperumal S/o. Muthallu through a sale deed document no. 1966 of 2016 and a copy of the above sale deed document was produced by the present petitioner.	deed produced before the District Collectorate, Chengalpattu to support of her claim.
4.	Thiru. Rajesh	21 (Plot No.502)	5720 sq.ft.	It is stated in the Collector's report that Thiru. Rajesh, present petitioner herein had purchased the subject lands from Thiru. Sivakumar S/o. Ramadoss (who had got General Power Agent from one Thiru. Kaliyaperumal S/o. Muthallu) through a sale deed document no. 8640 of 2014 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu to support of his claim.
5.	Thiru. Murali S/o. Balakrishnan	21(Plot No.503)	4800 sq.ft	It is stated in the Collector's report that Thiru. Murali S/o. Balakrishnan, present petitioner herein had purchased the subject lands from one Thiru. Sivakumar S/o. Ramadoss (who had got General Power of Attorney from one Thiru. Kaliyaperumal S/o. Muthallu) through a sale deed document No. 5869 of 2014 and a copy of the above sale deed document was	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 5869 of 2014 dated 23.4.2014 to support of his claim.

				produced by the present petitioner.	
6.	Fazlur Rahman & Abdul Kahliq, Chennai 99.	21/3A1A & 21/3A	3.77 acres	The interested persons did not turn up for enquiry made before the District Administration.	The present petitioner appeared for enquiry and no documents were produced by the petitioner to substantiate their claim to support of his claim.
7.	Thiru. R. Selvaraj S/o. K. Ramasamy, Chennai 88.	21/ part Plot No. 496	7200	The interested persons did not turn up for enquiry made before the District Administration.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document No. 519 of 1966 and 5870 of 2007 dated 6.6.2007 to support of his claim.

As per the report of the District Collector, Chengalpattu for S.No.21:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 21 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 21 measuring an extent of 6.53 acres is classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 21 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years from which it is known that the following transactions were took place with respect to the subject lands in S.No. 21.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	21	6.53 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	21	6.53 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 &

					14.6.1927
3.	21	6.53 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	21	6.53 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	21	Plot No. 513	Ellan (Principal) Ganesan (Agent)	Gangabai	340/1966 & 28.2.1966
6.	21	Plot No. 511,512	Ellan (Principal) Ganesan (Agent)	Sridevi Premchand	341/1966 & 28.2.1966
7.	21	Pot No. 514, 515	Ellan (Principal) Ganesan (Agent)	Kuppaiah Prakash	433/1966 & 8.3.1966
8.	21	Plot No.493A	Ellan (Principal) Ganesan (Agent)	Kaliyaperumal	1808/1968 & 4.12.1968
9.	21	Plot No. 493B	Ellan (Principal) Ganesan (Agent)	Ganesan	1809/1968 & 4.12.1968
10.	21	497	Subbaraya Reddy	Govindarai	6008/1972 & 27.10.1974
11.	21	5.00 acre	Agastiyan(1) Ragavan(2) Irusan(3) Samann(3)	Tmt. Suseelammal	3318/1964 & 13.8.1964

Justification Report furnished by the District Collector, Chengalpattu for S.No.21:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 21 was mentioned as patta lands and covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed

No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that certain portion of lands in Plot No 5B out of the lands involved in S.No. 21 were sold by Thiru. Ganesan (who had got General Power of Attorney) to Tmt. Gangabai vide document No. 340/1966 dated 28.2.1966 and thereafter, the balance extent of lands involved in the said S.No.21 was plotted into many house site plots and the same were sold out by one Thiru Ganesan, Power Agent in favour of many individuals and however, it is not known how the said Ganesan, General Power Agent had got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ganesan, Power Agent from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 21/1,2,3,4,5,6 recorded as patta lands stood in the name of Tvl. Devakibai(1), Kuppabai(2), Ellan(3), Ramachandran(4), B. Radha(5), Banseelasavukkar(6) under patta No. 85,43,22,124,125,98 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove how present pattadhars i.e. Thiru. Ganesan, Power Agent and Tmt. Sankari, Tmt. Revathi W/o Rajesh, Thiru. Rajesh, and Thiru. Murali had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1966 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Tvl. Devakibai(1), Kuppabai(2), Ellan(3), Ramachandran(4), B. Radha(5), Banseelasavukkar(6) (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 21 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 21 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 21 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 21 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911 RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that the subject lands in S.No. 21 were sold by Thiru. Ganesan (who had got General Power of Attorney from Thiru. Ellan) to Tmt. Gangabai vide document No. 340/1966 dated 28.2.1966 and thereafter, the balance extent of lands involved in the said S.No.21 was plotted into many house site plots and the same were sold out by one Thiru Ganesan, Power Agent in favour of many individuals and however, it is not known how the said Ellan had got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ellan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 21/1,2,3,4,5,6 recorded as patta lands stood in the name of Tvl. Devakibai(1), Kuppabai(2), Ellan(3), Ramachandran(4), B. Radha(5), Banseela savukkar(6) under patta No. 85,43,22,124,125,98 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove how present pattadhars i.e. Thiru. Ellan and Tmt. Sankari, Tmt. Revathi W/o Rajesh, Thiru. Rajesh, and Thiru. Murali had got title over the subject lands in their favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuvveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuvveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.21 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 21 measuring a total extent of 2.64.5 hectares (6.53 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 21 measuring a total extent of 2.64.5 hectares (6.53 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate

appropriate disciplinary and criminal action against those officials who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 21 measuring a total extent of 2.64.5 hectares (6.53 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

IX) For S.No. 23:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.23:

Sl.No	Name of the Present Petitioner / Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/ Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/ records filed before this Forum during enquiry conducted on 19.9.2023
1.	Thiru. N. Krishnan S/o. Narayanasamy	23/1A	1.43.8 hectare	It is stated in the Collector's report that the present petitioner appeared for enquiry and informed that he had got right title over the subject property through a Court's decree in O.S.No. 138 of 2011 and furnished the copy of Encumbrance Certificate from 1959 to 1988 to support of his claim.	The present petitioners appeared for enquiry and furnished a copy of the sale deed document No. 2534 of 1962 dated 31.5.1962 and judgment and decree in O.S.No. 138 of 2011 dated 24.8.2012 on the file of DMC, Chengalpattu (in which the partition declared by the Hon'ble Court between two private parties) to support of his claim.
2.	Thiru. J. Suresh and	23/2B, 24/1 & 2	0.10.5 hectare	It is stated in the Collector's report that Thiru. J. Suresh and T	The present petitioner appeared for enquiry and no additio

	Tmt. Manorathi (under Patta No. 573)	4/2	0.09.5 hectare 0.21.0	mt. Manorathi, present petitioners herein had purchased the subject lands from Thiru. S.N. Kumar through a sale deed document no. 3952/2010 dated 7.6.2010 and a copy of the above sale deed document was produced by the present petitioners.	nal documents were produced by the petitioner. Other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	Selvi. Rakshana Pandla D/o.P. Raviraj (under patta No. 682)	23/2A1B & 24/3A2 (plot No. 276)	9300 sq.ft.	It is stated in the Collector's report that Selvi. Rakshana Pandala D/o. P. Raviraj, present petitioner herein had purchased the subject lands from Tmt. Sheilal @ Sheila Sriprakash through a sale deed document no. 1504/2013 dated 8.2.2013 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
4.	Thiru. Sathayamoorthy and Tmt. Mariammal (under patta No. 810)	23 & 24 (Plot No. 279 & 111)	13950 sq.ft.	It is stated in the Collector's report that Thiru. Sathayamoorthy and Tmt. Mariammal present petitioners herein had purchased the subject lands from Thiru. Moovendan (Power Agent of Thiru. K. Balaji) through a sale deed document no. 2124 of 2010 dated 29.3.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioners other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

As per the report of the District Collector, Chengalpattu for S.No.23:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 23 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 23 measuring an extent of 9.19 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Saline Soil**".

Encumbrance Certificate (For S.No. 23 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years and the following transactions were made with respect to the subject lands in S.No. 23.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	23	9.19 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	23	9.19 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	23	9.19 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	23	9.19 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	23	Plot No. 218,219,220	Tvl. Umapathy (EM) Mythili (EM), Ambabai ammal (Principals) Thiru. Ganesan (Agent)	Thiru. Lalitha	1806/1968 & 4.12.1968
6.	23	2.09	Thiru. Ragavan	Thiru.	1092/1947

				Vedhachalam	& 20.8.1947
7.	23	2.09	Thiru. Vedhachalam	Tmt. Ammabai ammal	59/1962 & 22.1.1962
8.	23	2.09	Thiru. Ragavan	Thiru. Natesan	547/1962 & 7.5.1962
9.	23	7.10	Thiru. Natesan	Tmt. Jagadambal	2534/1962 & 31.5.1962
10.	23	7.10	Thiru. Natesan	Tmt. Jagadambal	4827/1962 & 25.9.1962
11.	23 and etc.	Plot No.221,218	Thiru. Umapathy (E & G)-1 Thiru. Mythili (EM)-2 Thiru. Ambabai (E)-3 Thiru. Ambabai (Principals) Thiru. Ganesan (Agent)	Tmt. Rajeswari	1807/1968 & 4.12.1968
12.	23	A-Schedule – 2.00 acres B- Schedule- 2.10 acre & 3.00 acre	Tmt. Kamakshi ammal	Thiru. Ekambaram-1, Thiru. Krishnan-2	877/1973 & 15.2.1973
13.	23	A-Schedule – 2.00 acres B- Schedule- 2.10 acre & 3.00 acre	Thiru. Govindajaran(T.N)	Thiru. Ekambaram-1, Thiru. Krishnan-2	878/1973 & 15.2.1973

Justification Report furnished by the District Collector, Chengalpattu for S.No.23:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 23 was mentioned as patta land

and covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that certain portion of lands in Plot No 218,219,220, out of the lands involved in S.No. 23 was purchased by Tmt. Lalitha from Thiru Umapathy and others vide document No. 1806/1968 and thereafter, the balance lands involved in the said S.No.23 was plotted into many house site plots and the same were sold to many individuals and however, it is not known how the said Umapathy has got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Umapathy from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 23/1,23/2A, 23/2B recorded as patta lands stood in the name of Tvl. Ekambaram, Ammalamma and Saminathan under patta No. 24,5 and 59 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Tvl. Krishnan and 3 others had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1968 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Tvl. Ekambaram, Ammalamma and Saminathan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 23 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 23 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 23 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the present petitioners/interested persons. At this juncture, it is pointed out that the suit land in

S.No. 23 was classified and registered as "Government Poramboke-Kazhuveli" during the 1911 RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that certain portion of lands in Plot No 218,219,220, out of the lands involved in S.No. 23 was purchased by Tmt. Lalitha from Thiru Umapathy and others vide document No. 1806/1968 and thereafter, the balance lands involved in the said S.No.23 was plotted into many house site plots and the same were sold to many individuals and however, it is not known how the said Umapathy has got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Umapathy from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 23/1,23/2A, 23/2B recorded as patta lands stood in the name of Tvl. Ekambaram, Ammalamma and Saminathan under patta No. 24,5 and 59 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Tvl. Krishnan and 3 others had got title over the subject lands in their favour.

The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but

in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.23 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli., etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 23 measuring a total extent of 3.72.0 hectares (9.19 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 23 measuring a total extent of 3.72.0 hectares (9.19 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 23 measuring a total extent of 3.72.0 hectares (9.19 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

X) For S.No. 24:

Details of the Present petitioners/interested persons participated in enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.24:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023
1.	Thiru. Raviraj Pandla	24 part (Plot Nos. 254 & 259)	14400 sq.ft.	It is stated in the Collector's report that Thiru. Raviraj Pandla, present petitioner herein had purchased the subject lands from Thiru. Vasanthakumar, Power Agent of Thiru. Chidhambaram through a sale deed document no. 532/2013 & 533/2013 dated 21.1.2013 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
2.	Thiru. Devasagayaraj	24/3A	2400 sq.ft.	It is stated in the Collector's report that Thiru. Devasagayaraj S/o. Christy	The present petitioner appeared for enquiry and no additional d

	S/o. Christudoss (under patta No.616)			udoss, present petitioner herein had purchased the subject lands from Thiru. Sujitkumar Chakravarthi through a sale deed document no. 12661/2011 dated 2.12.2011 and a copy of the above sale deed document was produced by the present petitioner.	Documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	Tmt. Visalakshi W/o. Krishnanmoorthy (under patta No.572)	24/2	0.21.0 hectare (0.52 acre)	It is stated in the Collector's report that Tmt. Visalakshi W/o. Krishnanmoorthi, present petitioner herein had purchased the subject lands from Thiru. S.N. Kumar through a sale deed document no. 3955/2010 dated 7.6.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
4.	Thiru. Arun S/o. Kalvichandran (under patta No.617)	24/3A	2400 sq.ft.	It is stated in the Collector's report that Thiru. Arun S/o. Kalvichandran, present petitioner herein had purchased the subject lands from Thiru. Sujitkumar Chakravarthi through a sale deed document no. 12662/2011 dated 2.12.2011 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	Thiru. Jeevan Sethu S/o. P.L. Ramathan (under patta No.735 & 736)	24/7A (Plot No.264)	7200 sq.ft	It is stated in the Collector's report that Thiru. Jeevan Sethu S/o. P.L. Ramathan, present petitioner herein had purchased the subject lands from Thiru. Moovendhan Power Agent of Tvl. Saroj	The present petitioner did not turn up for enquiry and no additional documents were produced other than the copy of the sale deed produced before the District Collectorate

		24/7B (Plot No . 263)	4800 sq.ft.	a Narayanan(1) Ananda Valli Balasubramanian (2) Suganda(3) Hemalatha Venkatesan (4) & Sudharsana Kameshwaran (5) through the sale deeds document no. 12818/2013 dated 16.9.2013 read with document no. 1043/2014 dated 28.1.2014 and a copy of the above sale deeds document was produced by the present petitioner.	te, Chengalpattu.
6.	Thiru. Raja S/o. Kulasekaran (under patta No.737 & 738)	24/7 (Plot No.249) 24/7 (Plot No.250)	7200 sq.ft. 4800 sq.ft.	It is stated in the Collector's report that Thiru. Raja S/o. Kulasekaran, present petitioner herein had purchased the subject lands from Thiru. Mooven dhan Power Agent of Tvl . Saroja Narayanan(1) Anandavalli Balasubramanian (2) Suganda(3) Hemalatha Venkatesan (4) & Sudharshana Kameshwaran (5) through the sale deeds document no. 12819/2013 dated 16.9.2013 read with document no. 12820/2013 dated 16.9.2013 and a copy of the above sale deed documents were produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced.

As per the report of the District Collector, Chengalpattu for S.No.24:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 24 was classified and recorded as "Sarkar Punjai" without mentioning pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 24 measuring an extent of 7.90 acres were classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 24 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 24.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	24	7.90 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	24	7.90 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	24	7.90 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	24	7.90 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	24	5.93	Thiru. Saman	Thiru. Krishtappalu	1431/1941 & 3.11.1941
6.	24	5.93	Thiru Periyasamy Naicker (EG) Thiru. Balamuthu (EM) Thiru. Kathan naicker(E) Thiru. Govindhanar(E) Thiru. Arumuganar (E) Thiru.	Thiru. Umapathi Naicker	1736/1961 & 27.9.1961

			Devarajinar		
7.	24	Plot Nos.218,219, 220	Thiru. Umapathy (EG) Mythili (EM) Ammabai ammal (Principals) Thiru. Ganesan (Agent)	Tmt. Lalitha	1806/1968 & 4.12.1968
8.	24	Plot Nos. 221,218	Thiru. Umapathy (EG) Mythili (EM) Ammabai ammal (Principals) Thiru. Ganesan (Agent)	Tmt. Rajeswari	1807/1968 & 4.12.1968
9.	24	Plot No. 265	Tennis Eyooter (DJ)	Venkatesam(BM)	1544/1971 & 24.4.1971

Justification Report furnished by the District Collector, Chengalpattu for S.No.24:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 24 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that an extent of 5.93 acres, out of 7.90 acres of lands involved in S.No. 24 was purchased by Thiru. Krishtappalu from Thiru. Saman vide document No. 1431/1941 and thereafter, Thiru. Umapathi Naicker purchased the lands from Tvl. Periyasamy and others. However, it is not known how the said Periyasamy and others have got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to

show that how the lands were transferred to one Thiru. Saman and Umapathy Naicker from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 24/1 & 24/2 recorded as patta lands stood in the name of Tvl. Saminathan and Umapathy Naicker under patta No. 59 & 153 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Tvl. Raviraj Pandla and 5 others had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1941 i.e. after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Tvl. Saminathan and Umapathy Naicker (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 24 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 24 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to right title over the subject lands in S.No. 24 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 24 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 -RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that an extent of 5.93 acres, out of 7.90 acres of lands involved in S.No. 24 was purchased by Thiru. Krishtappalu from Thiru. Saman vide document No. 1431/1941

and after that, Thiru. Umapathi Naicker purchased the lands from Tvl. Periyasamy and others and however, it is not known how the said Periyasamy and others had got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show that how the lands were transferred to one Thiru. Saman and Umapathy from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 24/1 & 24/2 recorded as patta lands stood in the name of Tvl. Saminathan and Umapathy Naicker under patta No. 59 & 153 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Tvl. Raviraj Pandla and 5 others had got title over the subject lands in their favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Backwater) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.24 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar kazhuvelis along the East Coast, action has been taken by Government to notify

the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli. etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 24 measuring a total extent of 3.19.5 hectares (7.90 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 24 measuring a total extent of 3.19.5 hectares (7.90 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 24 measuring a total extent of 3.19.5 hectares (7.90 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XI) For S.No. 25:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.25:

Sl.No	Name of the Present Petitioner/ Interested	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted

	persons				on 20.9.2023
1.	Thiru. Raviraj Pandla	25/1A2 (Plot No. 475)	18720 sq.ft.	It is stated in the Collector's report that Thiru. Raviraj Pandla, present petitioner herein had purchased the subject lands from Thiru. K. Adam Basha, Power Agent of Thiru. Satchidhanand S. Pandit (Principal) through a sale deed document no. 5708 of 2010 dated 9.8.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

As per the report of the District Collector, Chengalpattu for S.No.25:

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 25 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 25 measuring an extent of 5.93 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 25 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years The following transactions were effected with respect to the subject lands in S.No. 25.

Sl.No.	S.No.	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	25	5.93 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	25	5.93 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	25	5.93 (together	Thiru.	Thiru. Sirur(g)	615/1928 &

		with some other lands)	Anandalwar		21.5.1928
4.	25	5.93 (together with some other lands)	Official Assignee, Subbraya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	25	5.93 (together with some other lands)	Thiru. Raji Pandidhar	Tmt. Poongavanam ammal	130/1964 & 12.2.1964
6	25	5.93 (together with some other lands)	Thiru. Krishnasami Naicker(1) Thiru. Arjuna Naicker, Duraisamy Pandidhar(2) Thiru. Veerapathirar Pandidhar(3) Chinna(4) (B)		590/1965 & 24.5.1965

Justification Report furnished by the District Collector, Chengalpattu for S.No.25:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 25 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has further stated that it is verified from the Encumbrance Certificate thereafter in the year 1929 that an extent of 5.93 acres lands involved in S.No. 25 were purchased by Tmt. Poongavanam ammal from one Thiru. Ravi Pandidhar vide document No. 130/1964 and however, it is not known how the said Ravipandidhar has got title over the lands from Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ravipandidhar from Thiru. Sirur. Also, the District

Collector has stated that as per the UDR "A" register, the subject lands in S.No. 25 recorded as patta lands stood in the name of Tmt. Poongavanam under patta No. 127 without any basis of title documents to prove that the subject lands are patta lands which belonging to Tmt. Poongavanam. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhar i.e. Thiru. Raviraj Pandla had got title over the subject lands in his favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1941 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Tmt. Poongavanam (i.e.) the present pattadhar name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 25 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 25 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 25 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 25 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 -RSR "A" Register and the same was treated as patta land during 1987 UDR "A" register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate thereafter in the year 1929 that an extent of 5.93 acres lands involved in S.No. 25 were purchased by Tmt. Poongavanam Ammal from one Thiru. Ravi Pandidhar vide document No. 130/1964 and however, it is not known how the said Ravipandidhar has got title over the lands from Thiru. Sirur. Further, it has been reported by the District

Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ravipandidhar from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 25 recorded as patta lands stood in the name of Tmt. Poongavanam under patta No. 127 without any basis of title documents to prove that the subject lands are patta lands which belonging to Tmt. Poongavanam.

Further, the present petitioner/ interested persons did not produce any documentary evidence to prove that how present pattadhars i.e. Thiru. Ravi Pandla had got title over the subject lands in his favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Dry" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.25 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli. etc to private patta

lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 25 measuring a total extent of 2.40.0 hectares (5.93 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 25 measuring a total extent of 2.40.0 hectares (5.93 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 25 measuring a total extent of 2.40.0 hectares (5.93 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XII) For S.No. 26:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.26:

Sl. No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023

1.	Thiru.A.V.Anoop	26 & 26/1A1 A1 25/1B & 26/4 (Plot No. 497 , 498) 25/1C & 26/5 (Plot No. 487, 496)	12400 (Plot No. 485,486) 4800 sq.ft 7600 sq.ft 4800 sq.ft. 4800 sq.ft Total- 9 Grounds & 400 sq.ft.	It is stated in the Collector's report that Thiru. A.V.Anoop, present petitioner herein had purchased the subject lands from Thiru. Muralidharan, Power Agent of one Tmt. Prema Moovendan through a sale deed documents no. 8062/2006 dated 11.9.2006 and other deeds. Copies of the above sale deed documents were produced by the present petitioner.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document Nos. 8061, 8062 of 2006 dated 11.9.2006, and the Encumbrance certificate for the peiod from 1.1.981 to 20.12.2022 towards title over is claim.
2.	Thiru. Dheenadayalan	26/12B	3900 (Plot No.201)	It is stated in the Collector's report that initially the predecessor of the present petitioner, Thiru. A. Chidambaram had purchased the lands from one Thiru. Jeganathan, Power of Attorney of Thiru. Ramasamy vide document o. 3051/2006 dated 31.3.2006 and thereafter, the Power Agent of the said seller, Thiru. V. Vasanthakumar had sold the lands to the present petitioner, Thiru. Dheenadayalan	The petitioner did not turn up for enquiry and no additional documents were produced by the petitioner.

				vide document No. 9588 of 2012 dated 28.9.2012 and a copy of the above sale deed document was produced by the present petitioner.	
3.	Thiru. Manikandan	26/12B	4800 (Plot No.192)	It is stated in the Collector's report that the present petitioner, Thiru. Manikandan had got General Power of Attorney from the legal heirs of Thiru. Sriramulu vide document no. 7102/2016 dated 16.6.2016 and who in turn the said Sriramulu had got right title over the lands by way of purchase through document No. 554 of 1966 dated 18.3.1966 and copies of the above sale deed documents were produced by the present petitioner.	The petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
4.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	26 part	7.06 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. S. Aladiyar vide sale deed document No. 545 of 1999 dated 30.3.1999 and a copy of the above sale deed document was produced by the present petitioner.	The Counsel for the petitioner appeared and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	Tmt. Hema Anand	26/2		It is ascertained from the District Collectorate, Chengalpattu that as	-

			per the directions issued by the Hon'ble High Court of Madras in W.P.No. 33261 & 33262 of 2016, a hearing notice issued vide letter No. B4/28320/2015 dated 7.11.2023 directing the present petitioner to attend the enquiry to be held on 16.11.2023 along with the valid documents to put forth her claim.
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As per the report of the District Collector, Chengalpattu for S.No.26:-

It can be seen from the OSR "A" Register that the subject lands in S.No. 26 was classified and recorded as "Sarkar poramboke" without mentioning the pattadhar's name and that nobody claimed over the lands or no ryot's name was found in the records as maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 26 measuring an extent of 8.03 acres is classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli"

Encumbrance Certificate (For S.No. 26 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years and the following transactions were effected with respect to the subject lands in S.No. 26.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	26	8.03 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	26	8.03 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	26	8.03 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	26	8.03 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

5.	26	Out of 8.03 acres, 3.00 acres	Thiru.Ragavan	Thiru.Kannan	393/1936 & 20.5.1936
6.	26	Out of 8.03 acres, 1.00 acres	Thiru.Ragavan	Tmt.Aladiyammal	1123/1941 & 24.8.1941
7	26	Out of 8.03 acres, 1.00 acres	Tmt.Aladiyammal	Tmt.Ammabaiyammal	29/1962 & 17.01.1962

Justification Report furnished by the District Collector, Chengalpattu for S.No.26:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 26 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that it is verified from the Encumbrance Certificate that out of 8.03 acres of the lands in S.No. 26, an extent of 3.00 acres of lands was purchased by Thiru. Kannan from one Thiru. Ragavan vide document No. 393/1936 dated 20.5.1936 and however, it is not known how the said Kannan has got title over the lands from one Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Kannan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 26 was sub divided into S.No. 26/1A1, 26/1A2, 26/1B, 26/1C and registered as patta lands stood in the names of Thiru. Aladiyar, Thiru. R.V.R.K. Sooriyarao, M. Vasanthamalai Jeviyur, and Gowsalya Sambandam under patta Nos. 12,73,136 and 50 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Tvl. Anoop and Deenadayalan had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1936 i.e. after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. Aladiyar, Thiru. R.V.R.K. Sooriyarao, M. Vasanthamalai Jeviyur, and Gowsalya Sambandam (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the

sales transaction that took place thereafter in the above lands in S.No. 26 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 26 was without any basis of proper link documents and state on ground,, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 26 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 26 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that out of 8.03 acres of the lands in S.No. 26, an extent of 3.00 acres of lands was purchased by Thiru. Kannan from one Thiru. Ragavan vide document No. 393/1936 dated 20.5.1936 and however, it is not known how the said Kannan has got title over the lands from one Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Kannan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 26 was sub divided into S.No. 26/1A1, 26/1A2, 26/1B, 26/1C and registered as patta lands stood in the names of Thiru. Aladiyar, Thiru. R.V.R.K. Sooriyarao, M. Vasanthamalai Jeviyur, and Gowsalya Sambandam under patta Nos. 12,73,136 and 50 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars i.e.Thiru. Anoop and Thiru. Deenadayalan had got title over the subject lands in their favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.26 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli. etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 26 measuring a total extent of 3.43.0 hectares (8.03 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117

Karunguzhipallam village and the entire extent of the lands in S.No. 26 measuring a total extent of 3.43.0 hectares (8.03 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 26 measuring a total extent of 3.43.0 hectares (8.03 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XIII) For S.No. 27:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.27:

Sl. No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023
1.	Thiru.Nandagopal S/o. Balakrishnan	27/7B	7200 (Plot No.216)	It is stated in the Collector's report that Thiru.Nandagopal S/o. Balakrishnan, the present petitioner herein had purchased the subject lands from Thiru. Vasanthakumar, Power Agent of Thiru. Chidhambaram through a sale deed document no. 2988 of 2013 dated 8.3.2013	The petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

				and who had got title over the subject lands by way of purchase from one Thiru. Jeganathan, General Power Agent of Tmt. Meenakshi vide document No. 9501 of 2007 dated 4.10.2007 and a copy of the above sale deed document was produced by the present petitioner.	
2.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	27/1B	6.41 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. G. Sathan vide sale deed document No. 544 of 1999 dated 30.3.1999 and a copy of the above sale deed documents were produced by the present petitioner.	The Counsel for the petitioner represented and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	R. Anandkumar S/o. Rengasamy, Chennai -34.	27/1B4	3 Grounds (S.No. 26,27,23 & 24)	The present petitioner did not turn up for enquiry conducted before the District Administration, Chengalpattu.	On behalf of the present petitioner, a representative appeared for enquiry and furnished a copy of the sale deed document no. 1032 of 2007 dated 6.2.2007 read with a Power of Attorney Document no. 1807 of 1968 towards title over his claim.
4.	Dr. J. Thanka W/o. Justice N. Paul Vasanthakumar	27/1A	7200 sq.fts.	The present petitioner did not turn up for enquiry conducted before the District Administration, Chengalpattu.	The Counsel for the petitioner appeared for enquiry and filed a written statement stating that it is verified from the Encumbrance certificate that even prior to 1960 the

					subject lands treated as patta land and therefore there is completely no justification in passing order for treating the said land as Government lands with restrospective effect and no other documents were produced by the petitioner to put forth her claim.
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As per the report of the District Collector, Chengalpattu for S.No.27:-

It can be seen from the OSR "A" Register that the subject lands in S.No. 27 was classified and recorded as "Sarkar Punjai" stood in the name of Thiru. Rangappa Naicker in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the lands in S.No. 27 measuring an extent of 7.38 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli" .

Encumbrance Certificate (For S.No. 27 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 27.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	27	7.38 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	27	7.38 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	27	7.38 (together with some other	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928

		lands)			
4.	27	7.38 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	27	7.38(along with certain lands)	Thiru.Nataraja Naicker	Tmt.Mythili ammal	177/1962 & 15.2.1962
6.	27		Thiru.Umapathy (B) Tmt.Mythili (BM) Tmt.Ammabaiyammal (Principal) Thiru.Ganasen (Agent)	Tmt.Lallitha	1806/1968 & 4.12.1968
7	27 & other S.Nos.	Pot Nos. 218 & 221	Thiru.Umapathy (B) Tmt.Mythili (BM) Tmt.Ammabai ammal (Principal) Thiru.Ganasen (Agent)	Tmt.Rajeswari	1807/1968 & 4.12.1968

Justification Report furnished by the District Collector, Chengalpattu for S.No.27:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 27 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that it is verified from the Encumbrance Certificate that an extent of 7.38 acres of the lands in S.No. 27 was purchased by Tmt. Mythiliammal from one Thiru. Nataraj Naicker vide document No. 177/1962 dated 15.2.1962 and however, it is not known how the said Nataraj Naicker has got title over the lands from one Thiru. Sirur. Further, it has been reported by the

District Collector that no relevant documentary evidence is produced by the present petitioner to show that how the lands were transferred to one Thiru. Nataraj Naicker from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 27 was subdivided into 27/1A, 27/1B and 27/2 registered as patta lands stood in the names of Thiru. R.V.R.K. Sooriyarao, Thiru. Sathan Naicker and Thiru. Sambarao under patta Nos. 71,60 and 61 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove how present pattadhars (i.e) Thiru. Nandagopal S/o. Balakrishnan had got title over the subject lands in his favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1962 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. R.V.R.K. Sooriyarao, Thiru. Sathan Naicker and Thiru. Sambarao (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 27 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 27 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 27 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 27 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that an extent of 7.38 acres of the lands in S.No. 27 was purchased by Tmt. Mythiliammal from one Thiru. Nataraj Naicker vide document No. 177/1962 dated 15.2.1962 and however, it is not known how the said Nataraj Naicker has got title over the lands from one Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Nataraj Naicker from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 27 was subdivided into 27/1A, 27/1B and 27/2 registered as patta lands stood in the names of Thiru. R.V.R.K. Sooriyarao, Thiru. Sathan Naicker and Thiru. Sambarao under patta Nos. 71,60 and 61 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove that how present pattadhars (i.e) Thiru. Nandagopal S/o. Balakrishnan had got title over the subject lands in his favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over

the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.27 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 27 measuring a total extent of 2.98.5 hectares (7.38 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 27 measuring a total extent of 2.98.5 hectares (7.38 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 27 measuring a total extent of 2.98.5 hectares (7.38 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules.

Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XIV) For S.No. 28:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.28:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023
1.	Thiru.Rama moorthy	28/3	2.00 acres	It is stated in the Collector's report that Thiru.Ramamoorthy, present petitioner herein had purchased the subject lands from Thiru.Ashirvadham through a sale deed document no. 1790/1984 dated 22.9.1984 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
2.	Thiru.A.V.Anoop S/o. A.G. Vasan	28/1B 28/2	1.64 acres 2.70 acres	It is stated in the Collector's report that Thiru.A.V.Anoop, present petitioner herein had purchased the subject lands	The present petitioner appeared for enquiry and furnished a copy of the sale deed document No. 9129

		&	through various sale deed documents No. 8061, 8062 & 9129 of 2006, 1956 & 1957 of 2007 and a copy of the above sale deed document was produced by the present petitioner.	of 2006 dated 9.10.2006 read with sale document No. 3918 of 2006 date 27.4.2006 5280 of 2004 dated 29.11.2004, 1860 & 1861 of 1984 dated 5.10.1984, 1791 of 1984 dated 22.9.1984 and the Encumbrance certificate for the peiod from 1.1.981 to 20.12.2022 totowards title over his claim.
		28/3A	0.73 acres	
		Total	5.07 acres	

As per the report of the District Collector, Chengalpattu for S.No.28:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 28 was classified and recorded as "Sarkar Punjai" stood in the name of Thiru. Kuppunattan as per the records maintained in the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 28 measuring an extent of 8.07 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 28 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 28.

SI.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	28	8.07 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	28	8.07 (together with	Thiru. C.Cunniah	Thiru.	467/1927 &

		some other lands)		Anandalwar	14.6.1927
3.	28	8.07 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	28	8.07 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.28:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 28 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that it is verified from the Encumbrance Certificate that out of 8.07 acres, 2.70 acres of lands in S.No. 28 was purchased by Thiru. R. Sridharan from one Thiru. S. Ponnusamy vide document No. 1369/1978. Again, Thiru. R. Sridharan had purchased the lands measuring an extent of 2.64 acres from one Thiru. Thiru. K.B. Ramakrishnan vide document no. 1370/1978 and no evidence was produced for purchasing of the remaining extent of lands in S.No. 28 and thereafter, many transactions were taken place with respect to the subje lands and however, it is not known how the said Ponnusamy and Ramakrishnan had got title over the lands from one Thiru. Sirur. Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ponnusamy and Thiru. Ramakrishnan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 28 was subdivided into S.No. 28/1A, 28/1B,28/2, 28/3A and 28/3B registered as patta lands stood in the names of Thiru. R. Sridharan, Tmt. S. Padma, Thiru. R. Ramani, Thiru. V. Sankaran and Thiru. Ramamoorthy under patta Nos. 144,99,121,51 and 161 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above-mentioned

individuals. Further, the present interested persons did not produce any documentary evidence to prove how the vendors Tvl. Sridharan, Ponnusamy and K.V. Radhakrishnan had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1962 i.e. after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. R.V.R.K. Sooriyarao, Thiru. Sathan Naicker and Thiru. Sambarao (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 28 could not be treated as a right of sale transactions.

Therefore, the District Collector has stated that the patta issued for S.No. 28 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 28 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 28 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that out of 8.07 acres, 2.70 acres of lands in S.No. 28 was purchased by Thiru. R. Sridharan from one Thiru. S. Ponnusamy vide document No. 1369/1978. Again, Thiru. R. Sridharan had

purchased the lands measuring an extent of 2.64 acres from one Thiru. K.B. Ramakrishnan vide document no. 1370/1978 and no evidence was produced for purchasing of the remaining extent of lands in S.No. 28 and thereafter, many transactions were taken place with respect to the subject lands and how the said Ponnusamy and Ramakrishnan had got title over the lands from one Thiru. Sirur.

Further, it has been reported by the District Collector that no relevant documentary evidence is produced by the present petitioner to show how the lands were transferred to one Thiru. Ponnusamy and Ramakrishnan from Thiru. Sirur. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 28 was subdivided into S.No. 28/1A, 28/1B, 28/2, 28/3A and 28/3B registered as patta lands stood in the names of Thiru. R. Sridharan, Tmt. S. Padma, Thiru. R. Ramani, Thiru. V. Sankaran and Thiru. Ramamoorthy under patta Nos. 144,99,121,51 and 161 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how the vendors Tvl. Sridharan, Ponnusamy and K.V. Radhakrishnan had got title over the subject lands in their favour. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit land was originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli

Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.28 at Karunguzhipallam village of Thiruporur Taluk on the basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Assigned Land fallen with respect to S.No. 28:

It is seen from a typed set of the sale deed document No. 1790 of 1984 dated 22.9.1984 received along with the District Collector's report that certain portion of the subject lands in S.No. 28/3 at Karunguzhipallam village was originally assigned to one Thiru. Ashirvatham by the Special Tahsildar(Assignment), Chengalpattu vide the order dated 27.10.1970 by imposing certain assignment conditions and among them, few of the important assignment conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise.*
- ii. *That the land should be used for only for cultivation of food crops.*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is seen from the report of the District Collector that these assigned lands are kept as waste for the past many years and not brought under cultivation and the assignee had also sold these lands to one Thiru. S.

Ramamurthy by violating the assignment conditions. Thus, the said order of assignment is null and void and the same is laible for cancellation.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 28 measuring a total extent of 3.26.5 hectares (8.07 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 28 measuring a total extent of 3.26.5 hectares (8.07 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 28 measuring a total extent of 3.26.5 hectares (8.07 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XV) For S.No. 29:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.29:

Sl.No	Name of the Present Petitioner/	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by	Details of the additional documents/ records filed

	Interested persons			the District Collector Chengalpattu	before this Forum during enquiry conducted on 20.9.2023
1.	Thiru. Sanjai, Power Agent of Tmt.Tara Viswanathan W/o Surenderan	29/1	1.40.5 hectare 1.24 acres	It is stated in the Collector's report that Thiru. Sanjai, Power Agent of Tmt.Thara Viswanathan W/o Surenderan, present petitioner herein has stated that his Power Agent Tmt. Thara Viswanathan W/o Surenderan and Thiru. Sivakumar S/o. Viswanathan purchased the subject lands from Thiru. Krishnamoorthy, General Power Agent of Thiru. Sridharan S/o. Krishnarao through a sale deed document No. 1/1983 dated 11.2.1983 and who he had got title over the subject lands by way of purchase from one Thiru. Perumasamy Thevar S/o. Iyyappa Thevar vide document No. 1522/1978 dated 23.10.1978 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner did not turn up for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.
2.	Tmt.Subhashini Bose W/o S.S.Boss	29/1A2	1.40.5	It is stated in the Collector's report that Tmt.Subhashini Bose, W/o S.S.Boss, present petitioner herein has purchased the subject lands from Thiru. Krishnamoorthy, General Power Agent of Thiru.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of

			1.17 acres	Sridharan S/o. Krishnarao through a sale deed document No. 3/1983 dated 11.2.1983 and who he had got title over the subject lands by way of purchase from one Thiru. Perumasamy Thevar S/o. Iyyappa Thevar vide document No. 1522/1978 dated 23.10.1978 and a copy of the above sale deed document was produced by the present petitioner.	the sale deed produced before the District Collectorate, Chengalpattu.
3.	Tmt.Vaijyanthi W/o. Natarajan	29/1A1	1.40.5 0.44.0	It is stated in the Collector's report that Tmt. Vaijyanthi W/o. Natarajan, present petitioner herein has purchased the subject lands from Thiru. Krishnamoorthy, General Power Agent of Thiru. Sridharan S/o. Krishnarao through a sale deed document No. 2/1983 dated 11.2.1983 and who he had got title over the subject lands by way of purchase from one Thiru. Perumasamy Thevar S/o. Iyyappa Thevar vide document No. 1522/1978 dated 23.10.1978 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
4.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	29/2	5.06 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. Arumugam vide sale deed document dated 22.2.1996 and a	The present petitioner appeared for enquiry and no additional documents were produced by the

				copy of the above sale deed documents were produced by the present petitioner.	petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	The Assistant General Manager and Case Lead Officer, State Bank of India Coimbatore.	29/2	5.00 acres	The petitioner Bank did not turn up for enquiry conducted before the District Adiministration.	The petitioner Bank filed the Written statement stating that as per registered sale deed bearing Document No. 4354/2012 dated 30.3.2012 registered at SRO/Thiruporur, the land comprised in S.No.29/2, Karunguzhipallam village, Thiruporur Taluk, Chengalpattu District measuring 5.00 acres was owned by M/s. Swathy Smart Card Hi-Tech Private Limited by way of purchase through a sale deed docuent No. 4354 of 2012 dated 30.3.2012 read with document No. 5705 of 2004 dated 15.12.2004. This company mortgaged this poroperty and executed MOD in favour of SBI vide Doct. No. 9894/2012 dated

					24.12.2012 registered at SRO, Thiruporur and furnished the copy of the above sale deed documents towards their claim.
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As per the report of the District Collector, Chengalpattu for S.No.29:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 29 was classified and recorded as "Sarkar Punjai" stood in the name of Thiru. Thaniya Naicker was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 29 measuring an extent of 8.47 acres was classified as "Government Poramboke" and in the remarks column mentioned as "Kazhuveli".

Encumbrance Certificate (For S.No. 29 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 29.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	29	8.47 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	29	8.47 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	29	8.47 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	29	8.47 (together with some other lands)	Official Assignee, Subburaya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5	29	Out of 8.47 Acres, 3.47 Acres	Tahsildar Chengalpattu	Thiru.Perumalsamy	L.23/970 & 21.9.1970

Justification Report furnished by the District Collector, Chengalpattu for S.No.29:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 29 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929. Since the said Sirur failed to pay the land tax due to the Government, the property was sold in revenue auction on 30.10.1933.

The District Collector has stated that it is verified from the Encumbrance Certificate that out of 8.47 acres, 3.47 acres of lands in S.No. 29 was assigned by the Tashildar, Chengalpattu in favour of Thiru. Periyasamy vide the order in No. L.23/970 dated 21.9.1970. In the year 1978, the assignee Thiru. Perumalsamy had sold the assigned lands to Thiru. R. Sridharan vide Document No. 1522/1978 and thereafter, many transactions took place over the subject lands. The District Collector has stated that the genuineness of the order passed by the Tahsildar, Chengalpattu with regard to land assigned in favour of Thiru Perumalsamy could not be ascertained. Further, the present petitioners also did not produce any valid documents to substantiate their claim over the subject lands. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 29 was subdivided into S.No. 29/1 and 29/2 registered as patta lands stood in the names of Thiru. R. Sridharan and Thiru. Murugesha Mudaliar under patta Nos. 144 and 116 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how the vendors Thiru. Sridharan S/o. Ramakrishnarao and his Power Agent Thiru. Krishnamoorthy had got title over the subject lands in their favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1970 i.e. after the lands purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands from Thiru. N. Sridharan and Murugesha Mudaliar (i.e.) the present pattadhars' name exist in the UDR "A" Register and

hence, the sale transactions that took place thereafter in the above lands in S.No. 29 could not be treated as a right of sale transactions.

Therefore, the District Collector has stated that the patta issued for S.No. 29 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 29 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 29 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that out of 8.47 acres, 3.47 acres of lands in S.No. 29 were assigned by the Tashildar, Chengalpattu in favour of Thiru. Periyasamy vide the order in No. L.23/970 dated 21.9.1970. In the year 1978, the assignee Thiru. Perumalsamy had sold the assigned lands to Thiru. R. Sridharan vide Document No. 1522/1978 and thereafter many transactions were taken place over the subject lands. The District Collector has stated that the genuineness of the order passed by the Tahsildar, Chengalpattu with regard to land assigned in favour of Thiru Perumalsamy could not be ascertained.

Further, the present petitioners also did not produce any valid documents to substantiate their claim over the subject lands. Also, the District Collector has stated that as per the UDR "A" Register, the subject lands in S.No. 29 was subdivided into S.No. 29/1 and 29/2 registered as patta lands stood in the names

of Thiru. R. Sridharan and Thiru. Murugesha Mudaliar under patta Nos. 144 and 116 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove how the vendors Thiru. Sridharan S/o. Ramakrishnarao and his Power Agent Thiru. Krishnamoorthy had got title over the subject lands in their favour.

The burden of proof lies with the petitioner in respect of suit lands which are all along registered as "Government Kazhuveli Poramboke" for the past 90 years.

In this regard, it is informed that subsequently, the Assistant General Manager & Case Lead Officer, State Bank of India in his letter No. SBI/SAMB/CBE/CLO-I/2022-23/262 dated 7.7.2022 has informed that as per registered sale deed bearing Document No. 4354/2012 dated 30.3.2012 registered at SRO/Thiruporur, the land comprised in S.No.29/2, Karunguzhipallam village, Thiruporur Taluk, Chengalpattu District measuring 5.00 acres was owned by M/s. Swathy Smart Card Hi-Tech Private Limited. This company mortgaged this property and executed MOD in favour of SBI vide Doct. No. 9894/2012 dated 24.12.2012 registered at SRO, Thiruporur. It is further stated that the Account became Non performing Asset and hence, they requested their Panel Valuer to assess the Fair Market value of the landed property and the value informed as per information provided by the Taluk Office, Thiruporur, and this land has been taken over by the Government through Executive Order No. Na.Ka. K1/1860/2017 dated 16.7.2021 and hence, they have requested to provide the details of the land acquisition so as to enable them to claim the compensation.

In this context, it is informed that the petitioner being a Nationalized Bank ought to have verified about the authenticity of the documents produced before them before granting loan, in the instant case, the petitioner-Bank have ascertained the details of the subject property only after granting of loan which is not the correct procedure.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.29 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Assigned Land fallen with respect to S.No. 29/1:

It is seen from a typed set of the sale deed document No. 1 of 1983 dated 11.2.1983 received along with the Collector's report that certain portion of the subject lands in S.No. 29/1 at Karunguzhipallam village was assigned to one Thiru. Perumalswamy by the Special Tahsildar, Chengalpattu vide the order dated 21.9.1970 by imposing certain assignment conditions and among them, few of the important assignment conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise.*
- ii. *That the land should be used for only for cultivation of food crops.*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such*

compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.

On the case of hand, it is seen from the report of the District Collector that these assigned lands are kept as waste for the past many years and not brought under cultivation and the said assignee had also sold these lands to one Thiru. R. Sridharan by violating the assignment conditions. Thus, the said order of assignment is null and void and the same is laible for cancellation.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 29 measuring a total extent of 3.43.0 hectares (8.47 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 29 measuring a total extent of 3.43.0 hectares (8.47 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 29 measuring a total extent of 3.43.0 hectares (8.47 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XVI) For S.No. 30:**As per the report of the District Collector, Chengalpattu for S.No.30:-**

The District Collector has reported that nobody has appeared for enquiry and made a representation seeking to grant patta for the subject lands in S.No. 30/1 and 30/5. Hence, the District Collector has stated that the same classification of lands (i.e.) "Government Poramboke –Kazhuveli" may be retained as it already exist in the village accounts for the lands S.No. 30/1 and 30/5 at Karunguzhipallam village. Also, an enquiry was conducted by this Forum on 20.9.2023 and on the date of hearing, nobody has made a claim with regard to the subject lands. Thus, as recommended by the District Collector, Chengalpattu that the classification of subject lands in S.No. 30/1 and 30/5 at Karunguzhipallam village of Thiruporur Taluk is hereby ordered to retain in original position (i.e. "Government Poramboke –Kazhuveli") as it already exist in the RSR "A" Register.

XVII) For S.No.31:**Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.31:**

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023
1.	Thiru.Pandurangan	31/3B	Out of 4.58 acres, 1.29 acre	It is stated in the Collector's report that the present petitioner Thiru. Pandurangan had purchased the subject lands through a sale deed document 1579 of 1987 dated 31.7.1987 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
2.	Thiru. Saravanan, Chennai-14.			The petitioner did not turn up for enquiry before the District Administration.	On the date of enquiry, the present petitioner did not turn up and no additional

					documents were produced by the petitioner.
3.	Ilyas K. Basha Enterprising Traders, Chennai 600 001.	31/2	2.29 acres	The petitioner did not turn up for enquiry before the District Adminitration.	A representative of the petitioner appeared for enquiry and no additional documents were produced by the petitioner.
4.	Tmt. Nazneen M.K W/o. Mustansir DS Max Swatantra Flat, Bengaluru.	31/2A	2.29 acres	The petitioner did not turn up for enquiry before the District Adminitration.	The present petitioner appeared for enquiry and produced the sale deed document dated 2.1.1987 in which she purchased the lands from one Thiru. Kumar Alias Irudayraj S/o. Colonel Bakkiam Pillai (Father of vendor is a Military Man who had got title over the subject lands by way of land assignment by the Special Tahsildar(Assignment) , Chengalpattu vide the proceedings D.K.T. 62179 dated 22.5.1971 in favour of Thiru. Colonel Bakkiam Pillai for an extent of 4.58 acres in S.No. 31/2 at Karunguzhipallam village) to support of her claim.
5.	Thiru. Akil Saifuddin Master, Thiruvanmiyur.	31/3	1.00 acre	The petitioner did not turn up for enquiry before the District Adminitration.	The present petitioner appeared for enquiry and produced copies of sale document no.1576 of 1987 executed by one Thiru. Gopalakrishnan in favour of Saifee

					Ebrahim Master and a settlement deed no. 255 of 2008 executed by the above vendor in favour of his sn the present petitioner in support of his claim.
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As per the report of the District Collector, Chengalpattu for S.No.31:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 31 was classified and recorded as "Sarkar Punjai" without mentioning pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 31 measuring an extent of 13.74 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 31 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 31.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	31	13.74 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	31	13.74 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	31	13.74 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	31	13.74 (together with some other lands)	Official Assignee, Subburaya Kottradiar B,	Thiru. Sirur	1953/1929 & 31.8.1929
5	31	Out of 13.74 Acres, 4.58 Acres	Yarkastate B Jesudoss	Primary Co-operative Land Development Bank, Chengalpattu	886/1971 & 3.8.1971

Justification Report furnished by the District Collector, Chengalpattu for S.No.31:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 31 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subburaya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

The District Collector has stated that it is seen from the Encumbrance Certificate thereafter in the year 1929 that an extent of 4.58 acres of the lands in S.No. 31/1 was mortgaged by one Thiru. Jesudoss before the Primary Co-operative Land Development Bank, Chengalpattu through document No. 886/1971 dated 3.8.1971 and however, it is not known how the said Jesudoss had got title over the lands from Thiru. Sirur. Also, the District Collector has stated that it can be ascertained through an enquiry that the subject lands in S.No.31 measuring an extent of 4.58 acres was assigned by the Tashildar, Chengalpattu in favour of Thiru. Gopalkrishnan S/o. Rajagopal pillai vide the order in No. 62/1979 dated 5.6.1971 and thereafter, so many transactions were taken place over the subject lands. The District Collector has stated that the genuineness of the order passed by the Tahsildar, Chengalpattu with regard to land assigned in favour of Gopalkrishnan S/o. Rajagopal pillai could not be ascertained and however, during enquiry the present petitioner submitted the copy of Land Assignment's Order, a perusal of this order certain assignment conditions was imposed in "Form-D" and among them few of the important conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise*
- ii. *That the land should be used for only for cultivation of food crops*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part.*

- iv. *The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is construed that the assignee had violated the above assignment conditions and hence, the said order of assignment is laible for cancellation. Further, the present petitioners also did not produce any valid documents to substantiate their claim over the subject lands. Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 31 was subdivided into S.No. 31/1A, 31/1B, 31/2A, 31/2B, 31/3A, 31/3B, 31/3C, 31/3D respectively and registered as patta lands stood in the names of Tvl. Salei. Lai. Veerankamwala, S. Muhamed Ali, M. Nannin, K. Illiyan, Tha. Mohamedthul Bakhil(1), Raseetha(2), W.M. Pandurangan(1), Dhanalakshmi(2), A. Bhakath & Company, Salem and S.B.E. Master(1) ,Hasib S. Master Bombay(2) under patta Nos. 74,113,87,16,49,163,164 and 165 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how the vendor Thiru. Gopalakrishnan had got title over the subject lands in his favour.

The District Collector has further added that it is seen from the Encumbrance Certificate that there was no transaction took place from the year 1929 to 1971 after the lands were purchased by Thiru. Sirur vide sale deed document no. 1953/1929 and that no link documents were produced by the present petitioners with regard to the transactions of the subject lands mutated in favour Tvl. Salei. Lai. Veerankamwala, S. Muhamed Ali, M. Nannin, K. Illiyan, Tha. Mohamedthul Bakhil(1), Raseetha(2), W.M. Pandurangan(1), Dhanalakshmi(2), A. Bhakath & Company, Salem and S.B.E. Master(1) ,Hasib S. Master Bombay(2) (i.e.) the present pattadhars' name exist in the UDR "A" Register. For that reason above, the sale transactions that took place thereafter in the above lands in S.No. 31 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 31 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 31 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 31 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that an extent of 4.58 acres, out of 13.74 acres of the lands in S.No. 31/1 was mortgaged by one Thiru. Jesudoss before the Primary Co-operative Land Development Bank, Chengalpattu through Document No. 886/1971 dated 3.8.1971 and however, it is not known how the said Jesudoss had got title over the lands from Thiru. Sirur. Also, the District Collector has stated that it can be ascertained through an enquiry that the subject lands in S.No.31 measuring an extent of 4.58 acres was assigned by the Tashildar, Chengalpattu in favour of Thiru. Gopalakrishnan S/o. Rajagopal Pillai vide the order in No. 62/1979 dated 5.6.1971 and thereafter so many transactions were took place over the subject lands. The District Collector has stated that the genuineness of the order passed by the Tahsildar, Chengalpattu with regard to land assigned in favour of Thiru. Gopalakrishnan S/o. Rajagopal Pillai could not be ascertained and however, during enquiry the present petitioner submitted the copy of Land Assignment's Order and a perusal of this order, the assignee had violated the assignment conditions that he sold the lands to the third parties without getting prior permission from the competent authority and that the lands were not brought into cultivation; hence, this order of assignment is laible for cancellation. Further, the present petitioners also did not produce any valid documents to substantiate their claim over the subject lands.

Also, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 31 was subdivided into S.No. 31/1A, 31/1B, 31/2A, 31/2B,

31/3A, 31/3B, 31/3C, 31/3D respectively and registered as patta lands stood in the names of Tvl. Salei. Lai. Veerankamwala, S. Muhamed Ali, M. Nannin, K. Illiyar, Tha. Mohamedthul Bakhil(1), Raseetha(2), W.M. Pandurangan(1), Dhanalakshmi(2), A. Bhakath & Company, Salem and S.B.E. Master(1), Hasib S. Master Bombay(2) under patta Nos. 74,113,87,16,49,163,164 and 165 144 and 116 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.31 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land

ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 31 measuring a total extent of 5.56.0 hectares (13.74 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 31 measuring a total extent of 5.56.0 hectares (13.74 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 31 measuring a total extent of 5.56.0 hectares (13.74 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XVIII) For S.No.32:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.32:

Sl. No	Name of the Present Petitioner	S.No. & Plot No.	Extent	Details of the copy of the Documents/	Details of the additional documents/records

	Name/ Interested persons			Records produced before the enquiry conducted by the District Collectorat e Chengalpattu	filed before this Forum during enquiry conducted on 20.9.2023
1.	Thiru.Narayanan S/o. Tirupathi	32/3 (Plot No. 188)	2322 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru. Narayanan S/o. Tirupathi had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 1904/2010, dated 22.3.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document No. 1904 of 2010 dated 22.3.2010 to support of his claim.
2.	Thiru. Ganesan S/o Subramaniam (Principal)	32/1 (Plot No. 125)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru. Ganesan (Principal) S/o Subramaniam had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 4790/2008 dated 2.7.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner did not turn up for enquiry.

				itioner.	
3.	Thiru.Stephen S/o. Swami Doss	32/2 (Plot No. 130,131)	2400 + 2400 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.Stephen S/o. Swami Doss had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 8098 & 8099 of 2008 dated 3.11.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
4	Tmt.Jothimani W/o. Rangaraj	32/1 33/1 (Plot No. 228)	2400 sq.ft	It is stated in the Collector's report that the present petitioner Tmt.Jothimani W/o. Rangaraj had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2707/2008, dated 11.4.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	Tmt.Karthika W/o Ravindran	32/3 (Plot No. 181)	2200 sq.ft.	It is stated in the Collector's report that the present petitioner Tmt.Karthika W/o Ravindran had purchased the subje	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale d

				ct lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 6599/2008 dated 28.8.2008 and a copy of the above sale deed document was produced by the present petitioner.	eed produced before the District Collectorate, Chengalpattu.
6.	Tmt.Vetriselvi W/o. Kalyanasundram	32/2 (Plot No. 156)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Tmt.Vetriselvi W/o. Kalyanasundram had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 5896/2008 dated 8.8.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
7.	Tmt.Jayanthi W/o Madhavan	32/2 (Plot No. 108)	2160 sq.ft.	It is stated in the Collector's report that the present petitioner Tmt.Jayanthi W/o Madhavan had purchased the subject lands from Thiru. K.R. Prasanth S/o. Thiru. Radhakrishnan	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

				vide document no. 9673 of 2014 and who in turn he had purchased the subject property from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 79/2009 dated 9.1.2009 and a copy of the above sale deed document was produced by the present petitioner.	
8.	Thiru.Madhavan S/o Gopalakrishnan	32/2 (Plot No. 107)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.Madhavan S/o Gopalakrishnan had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 7440 of 2008 dated 29.9.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
9.	Tmt.Kalavathi W/o. Dhayanithi	32/2	2400 (Plot No. 157)	It is stated in the Collector's report that the present petitioner Tmt.Kalavathi W/o. Dhayanithi had purchased the subject lands from Thiru.	The present petitioner did not turn up for enquiry.

				Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 5894 of 2008 dated 8.8.2008 and a copy of the above sale deed document was produced by the present petitioner.	
10	Tmt. Radhika Rep. on behalf of Thiru.Naren Radhakrishnan S/o Radhakrishnan	32/16 (Plot No.161)	2400 sq.ft.	It is stated in the Collector's report that on behalf of Thiru. Naren Radhakrishnan, S/o Radhakrishnan, Tmt. Radhika, present petitioner herein attended the enquiry and stated that Thiru. Naren Radhakrishnan S/o Radhakrishnan had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 5137 of 2010 dated 16.7.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
11	Thiru.Vaithyanathan S/o. Sooriyanarayanan	32/1 (Plot No. 146)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner, Thiru.Vaithyanathan S/o. Sooriyanarayanan had purchased the subject lands from	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 7841 of 2006 dated 6.8.2006 and sale deed document No. 4141

				<p>m Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no.8273 of 2008 dated 10.11.2008 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>of 2007 dated 13.4.2007 to support of his claim.</p>
12	<p>Thiru.Gowthaman S/o. Rajagopal</p>	<p>32/3 (Plot No. 201)</p>	<p>1980 sq.ft.</p>	<p>It is stated in the Collector's report that the present petitioner Thiru.Gowthaman, S/o. Rajagopal had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2917 of 2009 dated 18.8.2009 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>The present petitioner appeared for enquiry and filed an objection for change of classification of land as "Kazhuveli" Poramboke since the land was purchased by way of purchase from the Co-operative Housing Society which is registered by the Government and requested to issue patta in his favour.</p>
13	<p>Tmt.Chitra W/o Srinivasagopalan</p>	<p>32/15 (Plot No. 135)</p>	<p>2400 sq.ft.</p>	<p>It is stated in the Collector's report that the present petitioner Tmt.Chitra W/o Srinivasagopalan had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2917 of 2009 dated 18.8.2009 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>The present petitioner appeared for enquiry and filed a petition requesting to issue patta in her favour as she had already obtained patta No. 786 which stands cancelled now.</p>

				<p>Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 3017/2008</p> <p>dated 23.4.2008 and a copy of the above sale deed document was produced by the present petitioner</p>	
14	<p>Thiru.Padmanaban (Principal)</p> <p>Thiru. Sriramulu (Agent)</p>	<p>32/1 (Plot No. 148)</p>	<p>2400 sq.ft.</p>	<p>It is stated in the Collector's report that the present petitioner Thiru.Padmanaban S/o. Thiru. Sriramulu who had given General Power of Attorney to Thiru. Sriramulu who had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2825 of 2008 dated 16.4.2008 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>On behalf of the present petitioner, his brother appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.</p>
15	<p>Thiru.Mohan</p> <p>S/o. Athikesavalu</p>	<p>32/1 (Plot No. 149)</p>	<p>2400 Sq.ft.</p>	<p>It is stated in the Collector's report that the present petitioner Thiru.Mohan S/o. Athikesavalu had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Societ</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.</p>

				<p>y through a sale deed document no. 2824/2008</p> <p>Dated 16.4.2008 and a copy of the above sale deed document was produced by the present petitioner</p>	
16	Tmt.Ushamani W/o Jayakumar	32/1 & 33/1 (Plot No. 227)	2400 Sq.ft	<p>It is stated in the Collector's report that the present petitioner Tmt.Ushamani W/o Jayakumar had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2706/2008, Dated 11.4. 2008 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.</p>
17	Tmt.Sridevi Prasanna W/o. Prasanna	32/1 (Plot No. 124)	2400 Sq.ft.	<p>It is stated in the Collector's report that the present petitioner Tmt.Sridevi Prasanna W/o. Prasanna had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2844/2008 Dated 16.4. 2008 and a copy of the above sale deed</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.</p>

				document was produced by the present petitioner.	
18	Thiru.Mithilakumar (Principal) S/o Rajiv Ramprakash Thiru. Venkata kumar(Agent)	32/2 (Plot No. 155)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.Mithilakumar (Principal) S/o. Rajiv Ramprakash who had given his General Power of Attorney to one Thiru. Venkata kumar S/o. Duraisamy has purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 6482/2010, Dated 3.9.2010 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
19	Thiru.Ilango	32/1	2400 (Plot No. 147)	It is stated in the Collector's report that the present petitioner Thiru.Ilango had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 3020/2008, Dated 23.4.2008 and a copy of the above sale deed document was produced by the present pe	The present petitioner did not turn up for enquiry.

20	Tmt.Hephzibah Stephen S/o. Stephen	32/1 (Plot No. 126 & 127)	2400 + 2400 sq.ft.	petitioner. It is stated in the Collector's report that the present petitioner Tmt.Hephziba Stephen S/o. Stephen had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 8100/2008 & 8101/2008 dated 3.11.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
21	Thiru.Panasaiya S/o Janagiram aiah	32/3 (Plot No. 160 & 189)	2400 + 2160	It is stated in the Collector's report that the present petitioner Thiru.Panasaiyah S/o Janagiramaiya had purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2890/2009 & 2891/2009 dated 17.8.2009 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner did not turn up for enquiry and no additional documents were produced by the petitioner.
22	Thiru. Sadhick Batcha S/o. Mohamed Hussain	32/1	4.19 acres	It is stated in the representation filed by the present petitioner, Thiru. Sadhick Batcha, S/o. Mohamed H	The present petitioner did not turn up for enquiry.

	(Available in the typed set but not mentioned in the Collector's report)			ussain that he had purchased the subject lands from Thiru. R. Subramanian, Power Agent of Thiru. T. Kannan through a sale deed document no. 7841/2006 dated 6.9.2006 and a copy of the above sale deed document was produced by the present petitioner.	
23	Thiru. Sadhick Batcha S/o. Mohamed Hussain (Available in the typed set but not mentioned in the Collector's report)	32/3	4.19 acres	It is stated in the representation filed by the present petitioner, Thiru. Sadhick Batcha, S/o. Mohamed Hussain that he had purchased the subject lands from Thiru. T. Dhanapal, Power Agent of Thiru. A.M. Jamal Mohamed through a sale deed document no. 7840/2006 dated 6.9.2006 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner did not turn up for enquiry.
24.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	32/3	4.24 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. M. Doss vide sale deed document dated 22.2.1996 and a copy of the above sale deed documents were produced by the present petitioner.	No additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.

As per the report of the District Collector, Chengalpattu for S.No.32:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 32 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person

claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 32 measuring an extent of 12.57 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 32 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 32.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	32	12.57 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	32	12.57 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	32	12.57 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	32	12.57 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.32:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 32 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottadiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

Further, the District Collector has stated that as per the UDR "A" register, the

subject lands in S.No. 32 was subdivided into S.No. 32/1, 32/2 and 32/3 and registered as patta lands stood in the names of Tvl. J.M. Rao, G. Kasthuri and R. Michael under patta Nos. 126,28 and 119 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove how the vendor Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society had got title over the subject lands in their favour.

The District Collector has stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. J.M. Rao, G. Kasthuri and R. Michael (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 32 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 32 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 32 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit land in S.No. 32 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in

favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. J.M. Rao, G. Kasthuri and R. Michael (i.e.) the present pattadhars' name exist in the UDR "A" Register. For the reasons that the sale transactions that took place thereafter in the above lands in S.No. 32 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 32 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was

reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.32 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Assigned Land fallen with respect to S.No. 32/2:

It is seen from a typed set of the sale deed document No. 4141 of 2007 dated 13.4.2007 received along with the District Collector's report that certain portion of the subject lands in S.No. 32/2 measuring an extent of 4.19 acres was assigned to one Thiru. Colonel Gopalan by the Special Tahsildar, Chengalpattu vide the order in D.K.T.No. 62/1979 dated 22.5.1971 by imposing certain assignment conditions and among them, few of the important assignment conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise*
- ii. *That the land should be used for only for cultivation of food crops*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is seen from the report of the District Collector that these assigned lands are kept as waste for the past many years and not brought under

cultivation and the said assignee had also sold these lands in favour of the private individuals by violating the assignment conditions. Thus, the said order of assignment is null and void and the same is liable for cancellation.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 32 measuring a total extent of 5.08.5 hectares (12.57 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 32 measuring a total extent of 5.08.5 hectares (12.57 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 32 measuring a total extent of 5.08.5 hectares (12.57 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XIX) For S.No.33:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.33:

Sl No	Name of the Present Petitioner/	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry c	Details of the additional documents/records filed before
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	Interested persons			Conducted by the District Collector Chengalpattu	at this Forum during enquiry conducted on 20.9.2023
1.	Thiru.Danasekaran	33/1 (Plot No.3)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.Danasekaran has purchased the subject lands from Thiru. Govardhana S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2826 of 2008 dated 16.4.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.
2.	Tmt.Yamuna devi W/o Ethirajalu	33/1 (Plot No.230)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Tmt.Yamuna devi W/o Ethirajalu has purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2827/2008 & 16.4.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner did not turn up for enquiry.
3.	Thiru.Kumar S/o Thukkaram	33/1 (Plot No.57)	2800 Sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.Kumar S/o Thukkaram has purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent /Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 2828/2008 dated 16.4.2008 and a copy of the above sale deed doc	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.

				ument was produced by the present petitioner.	
4.	Thiru.M.S.Saleem S/o Shahul Ahmeed	33/1 (Plot No.60)	2800 sq.ft.	It is stated in the Collector's report that the present petitioner Thiru.M.S.Saleem S/o Shahul Ahmeed has purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 3901/2008 & 30.5.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
5.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	33/3	3.38 acres	It is stated in the Collector's report that the interested person had purchased the lands from one Thiru. Janakiraman S/o. Radhakrishnan vide sale deed document No. 1864 of 1998 dated 28.8.1998 and a copy of the above sale deed documents were produced by the present petitioner.	The Counsel for the petitioner was appeared and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
6.	Tmt. Radha Parasuraman, Chennai 600090.			The present petitioner did not appear before the enquiry conducted by the District Administration.	The present petitioner did not appear for enquiry.
7.	Tmt. Vahitha Banu W/o.Saleem	33/1 (Plot No.38)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner Tmt. Vahitha Banu W/o.Saleem purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 3902/2008, dated 3.5.2008 and a copy of	The present petitioner appeared for enquiry and furnished a copy of the sale deed document no. 2889 of 2009 dated 17.8.2009 to support of her claim.

				the above sale deed document was produced by the present petitioner.	
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As per the report of the District Collector, Chengalpattu for S.No.33:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 33 was classified and recorded as "Sarkar Punjai" without mentioning pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 33 measuring an extent of 13.12 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Saline Soil**".

Encumbrance Certificate (For S.No. 33 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 33.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	33	13.12 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	33	13.12 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	33	13.12 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	33	13.12 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.33:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 33 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya

Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

Further, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 33 was subdivided into S.No. 33/1, 33/2 and 33/3 and registered as patta lands stood in the names of Tvl. G. Kasthuri, Desigan and A. Radhakrishnan under patta Nos. 73,86 and 123 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how the vendor Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society had got title over the subject lands in their favour.

The District Collector has stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. G. Kasthuri, Desigan and A. Radhakrishnan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 33 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 33 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 33 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken

up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 33 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that from the year 1929 to 1987 (i.e. the implementation of UDR Scheme), no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. G. Kasthuri, Desigan and A. Radhakrishnan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 33 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 33 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*
- d. The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Thus, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.33 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Assigned Land fallen with respect to S.No. 33/1:

It is seen from a typed set of the sale deed document No. 4141 of 2007 received along with the District Collector's report that certain portion of the subject lands in S.No. 33/1 measuring an extent of 5.00 acres was assigned to one Lt. Colonel. G. Seshadri by the Special Tahsildar, Chengalpattu vide the order in D.K.T.No. 62/1979 dated 22.5.1971 by imposing certain assignment conditions and among them, few of the important assignment conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise*
- ii. *That the land should be used for only for cultivation of food crops*

- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is seen from the report of the District Collector that these assigned lands are kept as waste for the past many years and not brought under cultivation and the said assignee had also sold these lands in favour of the private individuals by violating the assignment conditions. Thus, the said order of assignment is null and void and the same is laible for cancellation.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 33 measuring a total extent of 5.31.0 hectares (13.12 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 33 measuring a total extent of 5.31.0 hectares (13.12 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 33 measuring a total extent of 5.31.0 hectares (13.12 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action

under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XX) For S.No.34:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.34:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 20.9.2023
1.	Tmt. Vahitha Banu W/o.Saleem	34/2 (Plot No.38)	1597	It is stated in the Collector's report that the present petitioner Tmt. Vahitha Banu W/o. Saleem purchased the subject lands from Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Cooperative Housing Society through a sale deed document no. 3902/2008, dated 3.5.2008 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
2.	M/s. Mallikavathi Educational Trust Rep. by Thiru. N.S. Ramesh	34/3 34/4	5.06 acres 5.05 acres	It is stated in the Collector's report that the interested person appeared for enquiry and stated that they had purchased the lands from one Thiru. V. Viswanathan and Thiru. N. Mani respectively vide sale deed document dated 22.2.1996 and a copy of the above sale deed documents were produced by the present petitioner.	The Counsel for the petitioner appeared and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
3.	Thiru. K.	34/2	2400	The present petitioner did	The present

	Dhanasekaran(Plot No.3)	sq.ft.	not turn up for enquiry conducted by the District Administration.	petitioner appeared for enquiry and no papers were produced by the petitioner.
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As per the report of the District Collector, Chengalpattu for S.No.34:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 34 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 34 measuring an extent of 15.11 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Saline Soil**".

Encumbrance Certificate (For S.No. 34 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 34.

SI.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	34	15.11 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	34	15.11 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	34	15.11 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	34	15.11 (together with some other lands)	Official Assignee, Subbraya Kottradiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.34:

The District Collector has stated that it can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the classification of subject lands in S.No. 34 measuring an extent of 15.11 acres mentioned as "Sarkar Dry" stood in the name of Thiru. Subburaya Kottradiar under patta No. 35. The

said Subburaya Kottradiar had mortgaged over the above mentioned lands in S.No. 34 measuring an extent of 15.11 acres in favour of Thiru. C. Cunniah vide Document No. 1414/1926 dated 4.5.1926 and after that the said lands were conveyed by Thiru. C. Cunniah in favour of Thiru. Anandalwar vide Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar had mortgaged the said property to one Thiru. Sirur vide document no. 615/1928 dated 23.5.1928. Thereupon, the said land was purchased by Thiru. G. Sirur through auction sale from the Official Assignee of High Court of Madras vide Document No. 1953/1929.

Further, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 34 was subdivided into S.No. 34/2, 34/3 and 34/4 and registered as patta lands stood in the names of Tvl. Nagarajan, V. Viswanathan and Narayanan under patta Nos. 93,137 and 94 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove how the vendor Thiru. Govardhanan S/o. Ramamoorthy, Superintendent/Special Officer of Chennai Metropolitan Co-operative Housing Society had got right title over the subject lands in their favour.

The District Collector has stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. Nagarajan, V. Viswanathan and Narayanan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 34 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 34 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 34 could not be considered.

Written Statement filed by the Chennai Metropolitan Co-operative Housing Society Ltd:

It is stated that the Chennai Metropolitan Co-operative Housing Society Ltd is a registered Co-Operative Housing Society established in the year 1912 under the

Co-Operative Societies Act, 1912 and now governed under the Tamilnadu Co-Operative Societies Act, 1983 (Act 30 of 1983) having under the administrative control of Registrar of Co-Operative Societies (Housing) represented by its General Manager V.Sankaran, Son of Mr.Vedachalam. The main activities of the Society are confined to issuance of Housing/ House Mortgage Loans and jewel loans, accepting of fixed deposits and implementation of House Site Schemes/ flats/ Housing schemes.

In the course of their business the society has formulated a housing scheme at Karunguzhipallam village, which is named Metro IT City. It is stated that the lands in Survey Nos 32/1, 32/2 32/3 and the adjoining lands in S.No. 33/1, 34/2 of a total extent of 22.20 acres in Karunguzhipallam Village, Alathur Panchayat Limits, Thiruporur Panchayat Union, Chengalpet Taluk, Kancheepuram District are absolutely private lands and originally patta for the above lands were issued in the names of their vendor and only after having satisfied with the title of the above properties the DTCP also approved the layout. Hence, on information the society have approached the office of the Tahsildar, Thiruporur Taluk for issuance of patta to the purchaser/members as they have valid title to the property and the above lands are private land with valid title. Despite our request, the Tahsildar did not issue patta and even their members were unable to apply through online and also there is no access to apply due to blocking of the land by its wrong classification by them.

In the circumstances, the Society has issued a lawyer notice on 28.02.2022 calling upon the Tahsildar to remove the wrong classification though the Tahsildar Thiruporur Taluk acknowledged the said communication, they have not recalled the wrong classification of the land. The society has sent another reminder 23.06.2022 along with enclosures in support of the claim. Though the Tahsildar Thiruporur Taluk received the said letter, there was no response on the side of Tahsildar concerned which forced the society to approach the High Court of Madras in W.P.No. 18329/2022 and sought for direction directing the Tahsildhar, Thiruporur Taluk to consider the same and pass appropriate orders. It is further stated that in the above writ petition it was ordered by the Hon'ble High Court by its order dated 20/07/2022 direction was given to Hon'ble District Revenue Officer as well as the Tahsildar to consider the same in accordance with law after offering opportunities of hearing to the society and as well as aggrieved persons if any. Pursuant to the said order the District Revenue Officer has also called upon the society to appear for enquiry on 21.12.2022 and the orders came to be passed after lapse of 3 months rejecting the claim of the Society. Hence, the Society

have also filed a review petition before the DRO, Chengalpattu.

It is informed on behalf of the society that the subject lands are partly patta lands and partly Government assigned lands with conditions and after compliance of all the assignment terms and conditions the title was rightly transferred in favour of the Society and on the basis of lawful ownership the authorities have granted permission to the society enabling them to form layout and conveyed plots in favour of its members.

It is therefore, prayed that the Commissioner of Land Administration may issue necessary direction to the authority concerned to issue patta after releasing the block and pass such further appropriate orders and thus render justice.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 34 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. Nagarajan, V. Viswanathan and Narayanan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the

above lands in S.No. 34 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 34 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Dry" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.34 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly

objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Assigned Land fallen with respect to S.No. 34:

It is seen from a typed set of the sale deed document No. 4141 of 2007 dated 13.4.2007 received along with the District Collector's report that certain portion of the subject lands in S.No. 34/2 measuring an extent of 5.00 acres was assigned to one Thiru. M.S. Nagarajan by the Special Tahsildar, Chengalpattu vide the order in No. 62/1979 dated 1.2.1971 by imposing certain assignment conditions and among them, few of the important assignment conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise*
- ii. *That the land should be used for only for cultivation of food crops*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is seen from the report of the District Collector that these assigned lands are kept as waste for the past many years and not brought under cultivation and the assignee had also sold these lands in favour of the private individuals by violating the assignment conditions. Thus, the said order of assignment is null and void and the same is liable for cancellation.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 34 measuring a total extent of 6.11.5 hectares (15.11 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117

Karunguzhipallam village and the entire extent of the lands in S.No. 34 measuring a total extent of 6.11.5 hectares (15.11 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 34 measuring a total extent of 6.11.5 hectares (5.11 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XXI) For S.No.37:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.37:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 21.9.2023
1.	Thiru. Moovendan (Rep. On behalf of Tmt Priya Anoop and Tmt. Anjali Ravi)	37/1C & 37/2A	0.50 acre 0.50 acre	It is stated in the Collector's report that on behalf of Tmt Priya Anoop and Tmt. Anjali Ravi, the present petitioner Thiru. Moovendan appeared for enquiry and stated that Tmt Priya Anoop and Tmt. Anjali Ravi purchased the subject lands through a sale deed	The present petitioner Tmt. Priya Anoop appeared for enquiry and furnished a copy of sale deed document no. 2834 of 2007 dated 20.3.2007, Copy of Power of Attorney document No. 487 of 2007 dated 7.3.2007, sale deed document no. 6742 of 2006 dated

				document no. 2834/2007 dated 20.3.2007 read with 2716/2004 dated 2.7.2004 and a copy of the above sale deed document was produced by the present petitioner.	1.82006, sale deed document no. 2716 of 2004 dated 2.7.2004, sale deed document no. 226 of 1985 dated 25.1.1985, sale deed document no. 225 of 1975 dated 25.1.1975 to support of their claim.
2.	Thiru.A.V.Anoop S/o. A.G. Vasan	37/3A	1.00 acre	It is stated in the Collector's report that Thiru.A.V.Anoop, present petitioner herein had purchased the subject lands through various sale deed documents No. 8061, 8062 & 9129 of 2006, 1956 & 1957 of 2007 and copies of the above sale deed documents were produced by the present petitioner.	The present petitioner appeared for enquiry and furnished the copy of the General Power of Attorney Document no. 15 of 1985 dated 26.7.1985, Sale deed document no.2418 of 1985 dated 30.9.1985, copy of General Power of Attorney Document No. 1426 of 2006 dated 13.6.2006 and the sale deed document no. 1956 of 2007 dated 27.2.2007 and the Encumbrance certificate for the peiod from 1.1.981 to 20.12.2022 to support of his claim in respect of the lands in S.No. 37/3A. Further, in respect of the lands S.No. 37/2C, the present petitioner has furnished a copy of the sale deed document No. 1957 of 2007, General Power of Attorney document No. 1586 of 2006 dated 15.11.2006 and sale deed document no. 223 of 1985 dated 25.1.1985 to support of his claim.

		37/2C	1.00 Acre		
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As per the report of the District Collector, Chengalpattu for S.No.37:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 37 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 37 measuring an extent of 9.93 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 37 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 37.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	37	9.93 (together with Thiru. Subburaya Kottadiar some other lands)	Thiru. C.Cunniah	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	37	9.93 (together with Thiru. C.Cunniah some other lands)	Thiru. Anandalwar	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	37	9.93 (together with Thiru. Anandalwar some other lands)	Thiru. Sirur(g)	Thiru. Sirur	615/1928 & 21.5.1928
4.	37	9.93 (together with Official Assignee, Subbraya Kattadiar B, Yarkastate B some other lands)	Thiru. Sirur	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.37:

It can be seen from the Official Gazettes of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 37 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottadiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar

assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

Further, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 37 was subdivided into S.No. 37/1A, 37/1B, 37/1C, 37/2A, 37/2B, 37/2C, 37/3, 37/4A, 37/4B1 and 37/4C were registered as patta lands stood in the names of Tvl. Dhanrajsethiyah , Sankarlalchao, Shamlalbansali ,Sumanagarwal, , Lashlikhan , Kamatchiammal , Sarojini , Premilanaguptha and Chowthamchand Satharia under patta Nos. 78, 53, 141,69,131, 31,54, 104 and 77 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Further, the present interested persons did not produce any documentary evidence to prove that how the vendors Tvl. Lakshmiammal, Sridhar, Sarojini, Ayyappan, Padmaja and Kanatchimmal had got title over the subject lands in their favour and that no link documents were produced during enquiry.

The District Collector has also stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. Dhanrajsethiyah , Sankarlalchao, Shamlalbansali , Sumanagarwal, Lashlikhan , Kamatchiammal , Sarojini , Premilaguptha and Chowthamch Sathari (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 37 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 37 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 37 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken

up by this Forum, after giving opportunity to the present petitioners/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 37 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. Dhanrajsethiyah , Sankarlalchao, Shamlalbansali, Sumanagarwal, Lashlikhan , Kamatchiammal , Sarojini , Premilaguptha and Chowthamch Sathari (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 37 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 37 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.37 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 37 measuring a total extent of 4.02.0 hectares (9.93 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water

c o u r s e Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 37 measuring a total extent of 4.02.0 hectares (9.93 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 37 measuring a total extent of 4.02.0 hectares (9.93 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XXII) For S.No.38:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.38:

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent in sq.ft.	Details of the copy of the Documents/ Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 21.9.2023
1.	Thiru. Muthukumarasamy S/o. Natesan	38/1 (Plot Nos. 1,2,10, 11)	2400 + 2400+ 2400+ 2400	It is verified from the Encumbrance certificate that the name of the Vendor for documents No. 8429 & 8430 of 2008 is Tvl. Umaravi Convart & Surana (Principal) Thiru. Munusamy (Agent) and the name of the	The present petitioner appeared for enquiry and no valid documents were produced by the petitioner to put forth his claim.

			<p>Vendor for documents No. 8431 & 8432 of 2008 is Thiru. Mukeshkumar Rameshkumar (Principal) Thiru. Munusamy(Agent).</p> <p>The above sale deed documents were registered as undervalued documents and pending for finalization of Section 47A(1) of the Registration Act and hence, these sale documentation could not be taken as a right purchase of sale transaction.</p>	
2.	Thiru. Vinod Kumar Doshi, Chennai 600 001.	38/2A & 38/2B	<p>The present petitioner did not turn up for enquiry conducted by the District Administration.</p>	<p>The present petitioner made a representation dated 3.7.2023 stating that the lands in S.No. 38/2A & 38/2B belonged to his family since 1984 and recently these lands converted into Government land without any opportunity of hearing / intimation and hence he requested to provide compensation for these lands. However, the petitioner did not enclose the valid documents to put forth his claim.</p>

As per the report of the District Collector, Chengalpattu for S.No.38:-

The District Collector has stated that it can be seen from the OSR "A" Register (

Year 1877) that the subject lands in S.No. 38 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 38 measuring an extent of 8.86 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 38 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 38.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	38	8.86 (together with some other lands)	Thiru. Subburaya Kottadiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	38	8.86 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	38	8.86 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	38	8.86 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.38:

It can be seen from the Official Gazettes of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 38 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929. Since the said Sirur failed to pay the land tax due to the Government, the property was sold in revenue auction on 30.10.1933. Further, the District Collector has stated that as per

the UDR "A" Register, the subject lands in S.No. 38 was subdivided into S.No. 38/1, 38/2A, 38/2B, 38/2C, and 38/3 were registered as patta lands stood in the names of Tvl. M. Pandimal Pagodiya, Kamalagoshi, Nangamgoshi, Nandagopal and Kalyanasundaram under patta Nos. 25, 32,95,88 and 33 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals.

Further, the present interested persons did not produce any documentary evidence to prove that how the vendors Tvl. Gangabai (who purchased the lands from Tvl. Mannathan, Balasubramaniam, Myilsamy and Chandrasekar(i.e) previous vendors), Parthasarathy and Nandagopal Naidu and had got title over the subject lands in their favour.

The District Collector has stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. M. Pandimal Pagodiya, Kamalagoshi, Nangamgoshi, Nandagopal and Kalyanasundaram (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 38 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 38 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 38 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 38 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1987 (i.e. the implementation of UDR Scheme), no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were produced by the present petitioners/interested persons with regard to the transactions of the subject lands mutated in favour Tvl. M. Pandimal Pagodiya, Kamalagoshi, Nangamgoshi, Nandagopal and Kalyanasundaram (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 38 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 38 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- To convert the acre measurements into Metric system in the village accounts.*
- To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- To find out the encroachers in the Government Poramboke and to prepare*

a list of encroachment.

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.38 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 38 measuring a total extent of 3.58.0 hectares (8.86 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 38 measuring a total extent of 3.58.0 hectares (8.86 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate

appropriate disciplinary and criminal action against those officials who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke.**

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 38 measuring a total extent of 3.58.0 hectares (8.86 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XXIII) For S.No.39:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.39:

The District Collector has reported that on the date of enquiry, nobody made a claim towards seeking for grant of patta in respect of the subject ands in S.No. 39. However, the following interested persons have made a representation with regard to claim for title over the lands in S.No. 39 and also an enquiry was conducted by this Forum on 20.9.2023 and on the date of hearing, the following interested person appeared for enquiry with regard to the subject lands.

Sl.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 21.9.2023
1.	Thiru. Abbas F. Ragib, Chennai 600 001.	39/3B	1.00 acre	The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner made a representation dated 15.9.2023 stating that he had purchased the subject lands measuring an extent of 1.00 acre in S.No. 39/3B at Karunguzhipallam village vide sale deed document dated 21.02.1986 and from the date of purchase, he is

					in possession of lands and hence he requested to issue patta in his favour and for this, he furnished a copy of the above sale deed document to support of his claim.
2.	Thiru. T.D. Prathaban, Chennai-8.	39/1A	0.50 acre	The present petitioner did not turn up for enquiry conduced by the District Administration.	The present petitioner appeared for enquiry and furnished a sale deed document No. 920 of 2007 dated 14.9.2007 read with Power of Attorney document No. 570 of 2007 dated 16.3.2007, sale deed document no. 6745 of 2006 ated 1.8.2006, Power of Attorney document N. 1139 of 2004 dated 14.12.2004 and sale deed document No. 247 of 1993 dated 1.4.1993 and furnished a copy of Encumbrance Certificate for the period from 1981 to September 2007 to support of his claim.

As per the report of the District Collector, Chengalpattu for S.No.39:-

The District Collector, Chengalpattu has stated that as per the Computerized "A" Register, the subject lands in S.No. 39 measuring an extent of 4.41.5 hectares classified and registered as "Government Poramboke" and that no interested persons/ present petitioners have appeared for enquiry to title over the claim of the subject lands in S.No.39. The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 39 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 39 measuring an extent of 10.91 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 39 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were effected with respect to the subject lands in S.No. 39.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	39	10.91 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	39	10.91 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	39	10.91 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	39	10.91 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929

Justification Report furnished by the District Collector, Chengalpattu for S.No.39:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 1.11.1929 in No.11, the suit lands in S.No. 39 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928. Thereupon, the High Court of Madras adjudicated Subbaraya Kottadiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929.

Further, the District Collector has stated that as per the UDR "A" register, the

subject lands in S.No. 39 was subdivided into S.No. 39/1A, 39/1B, 39/1C, 39/1D, 39/1E, 39/2A, 39/2B, 39/2C, 39/3A, 39/3B, and 39/3C were registered as patta lands stood in the names of Tvl. Indirachand Gokul Chand Gothari, Kishorekumar, G.L. Soorana, R. Mohan, Jeyanthilal Jain, Showrthamkhan Sathariya, Geetha Agarwal, Sriviniyasiya, Iqpal N Milwasa, Appal Beethason Raheem and Saifudheen Guthipass under patta Nos. 18 39,70, 118, 72, 77, 41, 138, 55, 166 and 167 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals. Also, the District Collector has stated that during enquiry, **no interested persons/ present petitioners appeared for enquiry to claim title over the subject lands in S.No.39.**

The District Collector has also stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1978, no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were found with regard to the transactions of the subject lands mutated in favour Tvl. Indirachand Gokul Chand Gothari, Kishorekumar, G.L. Soorana, R. Mohan, Jeyanthilal Jain, Showrthamkhan Sathariya, Geetha Agarwal, Sriviniyasiya, Iqpal N Milwasa, Appal Beethason Raheem and Saifudheen Guthipass (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 39 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 39 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years and hence, the District Collector has stated that the subject lands in S.No. 39 may be retained as "**Government Poramboke-Kazhuveli**" on par with the RSR "A" Register.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 39 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Register. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar

was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.

- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1978, no transactions were took place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were found with regard to the transactions of the subject lands mutated in favour Tvl. Indirachand Gokul Chand Gothari, Kishorekumar, G.L. Soorana, R. Mohan, Jeyanthilal Jain, Showrthamkhan Sathariya, Geetha Agarwal, Sriviniyasiya, Iqpal N Milwasa , Appal Beethason Raheem and Saifudheen Guthipass (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 39 could not be treated as a right of sale transactions.

Therefore, the District Collector has stated that the patta issued for S.No. 39 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years and hence, the District Collector has stated that the subject lands in S.No. 39 may be retained as "**Government Poramboke-Kazhuveli**" on par with the RSR "A" Register. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors -in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- To convert the acre measurements into Metric system in the village accounts.*
- To transfer the Registry to the existing land holders as on date after verifying*

the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.

- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.38 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvelis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater) as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 39 measuring a total extent of 4.41.5 hectares (10.91 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 39 measuring a total extent of 4.41.5 hectares (10.91 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate

appropriate disciplinary and criminal action against those officials who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 39 measuring a total extent of 4.41.5 hectares (10.91 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XXIV) For S.No.40:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.40:

SI.No	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/ Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 21.9.2023
1.	Thiru. Mohamed Jaffer S/o. S.K.S. Kamaldeen	40/4A 40/4B	1.24 acre 1.24 acre	It is stated in the Collector's report that on behalf of Thiru. D.S.Mannan S/o. D.S.S. Mani, the interested person Thiru. Mohamed Jaffer S/o. S.K.S. Kamaldeen appeared for enquiry and stated that Thiru. D.S.Mannan S/o. D.S.S. Mani purchased the subject lands through sale deed documents no. 9553/2010 dated 9.12.2010 read with 9042/2010 dated 25.11.2010 and copies of the above sale deed documents were	The present petitioner did not turn up for enquiry and no additional documents were produced.

				produced by the present petitioner.	
2.	Tmt. Sivagami W/o. Sampathkumar	40/3 (Plot No.9)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner, Tmt. Sivagami W/o. Sampathkumar appeared for enquiry and stated that she purchased the subject lands from Sri. Kamal Kishore S/o. Lunnkaran Kumbat vide sale deed document no. 1926/1991 dated 30.9.1991 and that her vendor had got title over this subject lands by way of purchase from Sri. M. Bastimal Bokadia, S/o. Late Misrimulljus Bokadia through a sale deed document no. 2647 of 1985 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

As per the report of the District Collector, Chengalpattu for S.No.40:-

The District Collector has stated that it can be seen from the OSR "A" Register (Year 1877) that the subject lands in S.No. 40 was classified and recorded as "Sarkar Punjai" without mentioning the pattadhar's name and that no person claimed over the lands or no ryot name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 40 measuring an extent of 9.98 acres was classified as "Government Poramboke" and in the remarks column mentioned as "**Kazhuveli**".

Encumbrance Certificate (For S.No. 40 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years. The following transactions were

effected with respect to the subject lands in S.No. 40.

Sl.No.	S.No	Extent in acres	Name of the Executants	Name of the Receiver	Document No. & Date
1.	40	9.98 (together with some other lands)	Thiru. Subburaya Kottradiar	Thiru. C.Cunniah	1414/1926 & 4.5.1926
2.	40	9.98 (together with some other lands)	Thiru. C.Cunniah	Thiru. Anandalwar	467/1927 & 14.6.1927
3.	40	9.98 (together with some other lands)	Thiru. Anandalwar	Thiru. Sirur(g)	615/1928 & 21.5.1928
4.	40	9.98 (together with some other lands)	Official Assignee, Subbraya Kattadiar B, Yarkastate B	Thiru. Sirur	1953/1929 & 31.8.1929
5.	40/2	2.50	Thiru. Vedachalam	Venkatramsingh(K)	535/1974 dated 27.4.1974

Justification Report furnished by the District Collector, Chengalpattu for S.No.40:

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 21.11.1929 in No.11, the suit lands in S.No. 40 covered under patta No.35 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar. He executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 21.5.1928.

Thereupon, the High Court of Madras adjudicated Subbaraya Kottradiar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed No.1953/1929 dated 31.8.1929. Thereupon, an extent of 2.50 acres of the lands in S.No.40 was purchased by one Thiru. Vedachalam from Thiru. Venkatramsingh through sale deed document no. 535/1974 and however, it is not known how the said Venkatramsingh had got title over the lands from Thiru. Sirur.

Further, the District Collector has stated that as per the UDR "A" register, the subject lands in S.No. 40 was subdivided into S.No. 40/1, 40/2, 40/3 and 40/4 were registered as patta lands stood in the names of Tvl. Elangovan, Ushakumari,

Dheenapkumar and Raghavan under patta Nos. 35,20,82 and 127 respectively without any basis of title documents to prove that the subject lands are patta lands which belonging to the above mentioned individuals and that the pattadhar's name exist in the UDR "A" Register was not found in place of Encumbrance Certificate.

The District Collector has also stated that it can be seen from the Encumbrance Certificate that thereafter from the year 1929 upto 1974, no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were found with regard to the transactions of the subject lands mutated in favour Tvl. Elangovan, Ushakumari, Dheenapkumar and Raghavan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sale transactions that took place thereafter in the above lands in S.No. 40 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 40 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. Hence, the District Collector has stated that the present claim of the interested persons with regard to title over the subject lands in S.No. 40 could not be considered.

Findings of this Forum:-

Based on the report of the District Collector, Chengalpattu, an enquiry was taken up by this Forum, after giving opportunity to the interested parties/interested persons. At this juncture, it is pointed out that the suit lands in S.No. 40 was classified and settled as "Government Poramboke-Kazhuveli" during the 1911 - RSR "A" Register and the same was treated as patta land during 1987 UDR "A" Regsiter. The claim of the interested persons/present petitioners was based on the purported documents which are completely infirm as follows:-

- One of the joint holders in the purported patta Thiru Subburaya Kottradiar was said to have been adjudicated by the Hon'ble High Court and he was declared as insolvent- debtor and such order of the Hon'ble High Court has not been produced in any manner.
- Thiru Subburaya Kottradiar is said to have executed a mortgage deed in favour of Thiru Cunnaih and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru Sirur – none of these documents have been presented in any manner.

Thus, there is a breakage in the chain of documents leading to any claim of

title. It is verified from the Encumbrance Certificate that thereafter from the year 1929 upto 1974, no transactions were taken place over the subject lands and that it is not known how the subsequent purchasers of these lands had got title over the lands from Thiru. Sirur and no link documents were found with regard to the transactions of the subject lands mutated in favour Tvl. Elangovan, Ushakumari, Dheenapkumar and Raghavan (i.e.) the present pattadhars' name exist in the UDR "A" Register and hence, the sales transaction that took place thereafter in the above lands in S.No. 40 could not be treated as a right of sale transactions. Therefore, the District Collector has stated that the patta issued for S.No. 40 was without any basis of proper link documents and state on ground, these lands are lying waste and nobody enjoying the possession of these lands for the past many years. The burden of proof lies with the petitioner in respect of suit lands which are all along registered as Government Kazhuvveli Poramboke for the past 90 years.

At this juncture, it would be pertinent to mention that, if the petitioners or their predecessors-in-title were in possession and enjoyment of the suit land, they would have got clear patta at that time itself. But they have not done so. The suit lands are originally classified as "Kazhuvveli Poramboke" during the settlement but in the UDR Scheme, the lands were sub divided into many survey numbers and classified as "patta lands" stood in the name of various private individuals.

The main objects of the UDR Scheme were:

- a. *To convert the acre measurements into Metric system in the village accounts.*
- b. *To transfer the Registry to the existing land holders as on date after verifying the documents produced by them and to sub divide the fields and transfer the registry to the individual persons if there are joint holders.*
- c. *To find out the encroachers in the Government Poramboke and to prepare a list of encroachment.*

The UDR authorities have no powers to alter the classifications, boundaries, extent, etc. of a "Government land". The suit land was classified as Kazhuvveli Poramboke (Back water) at the time of settlement in the year 1911 which was reclassified as "Ryot Punjai" by the UDR authorities. Therefore, the classification mentioned in the UDR "A" Register in prima facie void as beyond jurisdiction. Hence, the claim of the present petitioners / interested persons to right title over the subject properties on the basis of the various sale deed documents is not valid as per the Law. Hence, the claim of the present petitioners/interested persons to grant of patta for the lands in S.No.40 at Karunguzhipallam village of Thiruporur Taluk on basis of the various sale deed documents did not confer their right and

the same is hereby rejected.

It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which performs a key ecological role. In similar Kazhuvellis along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. It may be noted that there are no rules or statute to convert highly objectionable and ecologically sensitive lands like Kazhuveli etc to private patta lands or assign or alienate them under any circumstance even by Government as has been reiterated by Hon'ble Supreme Court in many cases.

Conclusion :-

In the circumstances narrated as above, as highly objectionable water course Government lands (Kazhuveli-Backwater), as settled in 1911 are involved, it is hereby ordered that during UDR Scheme classifying the lands in S.No. 40 measuring a total extent of 4.04.0 hectares (9.98 acres) as patta lands are null and void, and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater). The District Collector, Chengalpattu is instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands in S.No. 40 measuring a total extent of 4.04.0 hectares (9.98 acres) are ordered to be restored back to their original classification as in 1911 as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in all the revenue records.

The District Collector, Chengalpattu is also hereby directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

The District Collector, Chengalpattu is directed to notify in the District Gazette, the entire lands in S.No. 40 measuring a total extent of 4.04.0 hectares (9.98 acres) in Karunguzhipallam village to be "Reserve lands" under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. Further, the District Collector, Chengalpattu is also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

XXV) For S.No.41:

Details of the Present petitioners/interested persons participated in the enquiry conducted by the District Collectorate, Chengalpattu and this office Forum with respect to S.No.41:

Sl. Noe	Name of the Present Petitioner/ Interested persons	S.No. & Plot No.	Extent	Details of the copy of the Documents/Records produced before the enquiry conducted by the District Collectorate Chengalpattu	Details of the additional documents/records filed before this Forum during enquiry conducted on 21.9.2023
1.	Tmt. Pushpakavar W/o. Sardarmal Bokdia	41/114 41/115 41/116 41/118	1.00 1.00 1.00 3.00 a 0.48 a cres cres	It is stated in the Collector's report that the present petitioner, Tmt. Pushpakavar W/o. Sardarmal Bokdia appeared for enquiry and stated that she purchased the subject lands from one Thiru. Amarchand Anchlia S/o. Balchand and Anchliya vide sale deed document no. 676/1987 dated 27.8.1987 and that her vendor had got title over these subject lands by way of purchase from Thiru. Chellappa Mudaliar S/o. Subramaniya Mudaliar and M/s. Marudhar Real Estates Rep. by T. R. Varadharajan through sale deed document nos. 1513/1986 dated 15.7.1986 and 1515/1986 dated 15.7.1986 respectively and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and produced copies of the sale deed documents No.1513 of 15.7.1986 & 676 of 1987 dated 27.8.1987 to support of his claim.
2.	Thiru. D.S. Mannan S/o. D.S.S. Mani	41/38, 41/39, 41/41	6.40 a cres	It is stated in the Collector's report that the present petitioner, Thiru. D.S.Mannan S/o. D.S.S. Mani appeared for enquiry and stated that he purchased the subject lands from one Thiru. Gunasekaran S/o. Mani Naidu through a sale deed document no. 67	The present petitioner appeared for enquiry and furnished a copy of Irrevocable Power of Attorney documents dated 20.11.1983 to substantiate his claim.

				6/1981 dated 14.5.1981 and a copy of the above sale deed document was produced by the present petitioner.	
3.	Thiru. Jaganathan S/o. Gurusamy	41/3		It is stated by the District Collector that during enquiry, the interested person informed that based on the orders of the Hon'ble High Court of Madras dated 4.7.2004, he got title over the subject property and accordingly, he was under enjoyment possession of the subject property in S.No. 41/3.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner to support of his claim.
4.	Tmt. Kowsalya S/o. Durairaj & Thiru. B. Durairaj	41/3	5.00 acres	It is stated by the District Collector that during enquiry, the interested person has informed that based on the orders of the Hon'ble High Court of Madras dated 21.2.2013, she got title over the subject property and accordingly, he was under enjoyment possession of the subject property in S.No. 41/3.	The present petitioner appeared for enquiry and furnished a copy of High Court's order dated 21.2.2013 wherein the Hon'ble High Court directed the respondents to consider the representation of the petitioner and an unregistered sale deed document to support of their claim.
5.	Thiru. Sagapudhin S/o. Kadhar Meeran	41/3	1.50 acres	It is stated in the Collector's report that the present petitioner, Thiru. Sagapudhin S/o. Kadhar Meeran appeared for enquiry and stated that he purchased the subject lands from one Thiru. Kunnappa Naicker through a sale deed document no. 372/1938 dated 3.2.1938 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner. Other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
6.	Thiru. Henry Jebaraj	41/11 (Plot No.7)		It is stated in the Collector's report that the subject lands measuring an extent of 360	The present petitioner appeared for enquiry and no additional docu

	S/o. T. Asar Ratinadoss		3600 sq.ft. 2400 sq.ft. 2400 sq.ft. & 3600 sq.ft.	0 sq.ft. and 2400 sq.ft respectively were purchased by Thiru. Sri Thandamudi Koteeswara Rao from one Tmt. Gnanammal W/o. Mani vide sale deed document No. 2191 of 1981 dated 24.10.1981 and 2188/1981 dated 24.10.1981 and later Tmt. Thanda Mudipappamma W/o. Thiru. Sri Thandamudi Koteeswara Rao had given the rights of General Power of Attorney to one Thiru. Subramani S/o. Raji vide document No. 2450 & 2451 of 2006 dated 3.11.2006. Thereafter, the said General Power of Attorney Thiru. Subramani S/o. Raji had sold the subject property to the present petitioner Thiru. Henry Jebaraj S/o. T. Asar Ratinadoss vide sale deed documents no. 11545 & 11546 of 2006 dated 28.12.2006 read with Doct. 2450 & 2451 of 2006 dated 3.11.2006 and copies of the above sale deed documents were produced by the present petitioner.	ements were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.
7.	Thiru. Babu & Tmt. Sandiya	41/3	20.00 acres 50.00 acres	It is reported by the District Collector that the present petitioners, Thiru. Babu & Tmt. Sandiya appeared for enquiry and stated that originally, the subject lands purchased by one Thiru. Cunnappa Naicker through auction sale on 30.10.1933 and after that the subject lands were purchased by one Thiru. Muthukrishna Naidu S/o. Parthasarathy vide sale deed document no. 550/1936 dated 22.6.1936 and who in turn sold the said property to one Thiru. Kapalipillai vide sale d	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.

				<p>deed document No.574/1936 dated 21.6.1936 and after the demise of said Kapalipillai, the present petitioners are the legal heirs of said Kapalipillai and currently, they are enjoying the said subject property.</p>	
8.	<p>Thiru. Subash Chander Singhal S/o. Lalchandji Singhal</p>	<p>41/1A,41/1B & 41/1C 41/1C</p>	<p>66.31 acres 2.18 acre</p>	<p>It is stated in the Collector's report that the present petitioner, Thiru. Subash Chander Singhal, S/o. Lalchandji Singhal appeared for enquiry and stated that he purchased the subject lands measuring an extent of 66.31 acres from Thiru. Uttamchand Jain, S/o. Rekchand Jain and Tmt Leeladevi Bagmar W/o . Uttamachand Jain through a sale deed document no. 2530 of 1989 dated 22.9.1989. Further, the subject lands measuring an extent of 2.18 acres was purchased by Thiru. Uthamachand and S/o. Rekchand from Tvl . Venkateshalu and 12 others vide document No. 762/1988 dated 22.2.1988 and a copy of the above sale deed document was produced by the present petitioner.</p>	<p>The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collector, Chengalpattu.</p>
9.	<p>Tmt. Pottiammal W/o. Jeyachandran (Father in law of Thiru. Muthukrishna Naidu)</p>	<p>41/3</p>	<p>11.00 acres</p>	<p>It is stated in the Collector's report that the present petitioner, Tmt. Pottiammal W/o. Jeyachandran appeared for enquiry and stated that her father-in-law Thiru. Muthukishna Naidu had purchased the subject property from one Thiru. Athimoola Naidu S/o. Parthasarathy Naidu through a sale deed document no. 573 of 1936 dated 21.6.1936 and a copy of the above sale deed document was</p>	<p>The present petitioner did not turn up for enquiry and no additional documents were produced by the petitioner.</p>

				produced by the present petitioner.	
10	Thiru. Goutam Chand Bokdia S/o. Parasmal Bokdia	41/152 41/152	3.52 acres 3.52 acres	It is stated in the Collector's report that the present petitioner, Thiru. Goutam Chand Bokdia, S/o. Parasmal Bokdia appeared for enquiry and stated that he purchased the subject property from one Thiru. Thiyagarajan S/o. Nagaratinam vide document No. 1514 of 1986 dated 15.7.1986 and that the said seller had purchased the said property from one Thiru. Amarchand Anchliya S/o. Balchand Anchliya vide sale deed document No. 675 of 1988 dated 27.3.1988 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and produced a copy of the sale deed documents No.1513 of 15.7.1986 & 676 of 1988 dated 27.8.1987 to support of his claim.
11	Tmt. Lalitha Jain W/o. Thiru. Bijay Kumar Jain	41/91(Plot No.85)	2400 sq.ft.	It is stated in the Collector's report that the present petitioner, Tmt. Lalitha Jain S/o. Thiru. Bijay Kumar Jain appeared for enquiry and stated that she purchased the subject property from one Thiru. Bastimal Bokdia vide document No. 448/1988 Dated 26.2.1988 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and furnished a copy of sale deed documents dated 26.2.1988 to support of her claim.
12	Thiru. Bijai Kumar Jain	41/91 (Plot No. 84)	4800 sq.ft.	It is stated in the Collector's report that the present petitioner, Thiru. Bijai Kumar Jain appeared for enquiry and stated that he purchased the subject property vide document No. 2449/1988 and a copy of the above sale deed document was produced by the present petitioner	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

13	Thiru. Suresh V Shah On behalf of his father Thiru. Veerachand T Shah S/o. Thanaji	41/1A, 41/1B & 41/1C	77.35 acres	It is stated in the Collector's report that on behalf of his father, Thiru. Veerachand T Shah, S/o. Thanaji, Thiru. Bijai Kumar Jain, the interested person, Thiru. Suresh V Shah appeared for enquiry and stated that Thiru. Veerachand T Shah S/o. Thanaji had purchased the subject property from Thiru. Uthamanchand Jain S/o. Rekchand Jain(1) Tmt. Leeladevi Bokdia, W/o. Uttamanchand Jain (2) through sale deed document no. 2525 of 1989 and copies of the above sale deed documents were produced by the present petitioner.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.
14	Thiru. Ganaprakasam S/o. Raju and Tmt. Seethalakshmi W/o. Radhakrishnan	41/3 41/4 1/3	22.86 acres 17.14 acres 40.00 acres 121 acres 101	It is stated in the Collector's report that the present petitioners, Thiru. Ganaprakasam S/o. Raju and Tmt. Seethalakshmi W/o. Radhakrishnan Thiru. Pijai Kumar Jain appeared for enquiry and stated that they purchased the subject property through the purchase document Nos. 4752/2008 dated 26.3.2008 and 6504/2010 dated 3.9.2010 and a copy of the above sale deed document was produced by the present petitioners. The District Collector has stated that the name of land owners i.e. Thiru. Subburaya kottradiar, Thiru. C. Cunniah, (Obtained through Mortgage sale deed). Thiru. Anandalwar, Thiru. Sirur, Thiru. Kunnapa Naicker, Thiru. Muthukrishnan Naidu, Thiru. Kapalipillai was mentioned	The Counsel for the present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate, Chengalpattu.

			2.86 acres	<p>acres d in the District Gazette of Chennai and Chengalpattu in the years 1929, 1933, 1938, 1939 and 1942 and copies of the said Gazettes are enclosed along with his report. Further, the District Collector has stated that the said Kapalipillai and his 7 legal heirs were passed away and thereafter their 12 legal heirs partitioned the subject lands as per the Court's order in O.S.No. 209/2005 and after that they sold the lands in favour of Thiru. Ravi.</p>	
15	<p>Thiru. Mohanraj S/o. Durairaj Power of Attorney Agent of the legal heirs of Late Thiru. S. Sabapathy Mudaliar</p>	41/3	74.50 acres	<p>The District Collector has stated that the subject lands were auctioned by one Thiru. Sirur as he had failed to pay the arrears of land revenue due to the Government and hence, the subject lands measuring a total extent of 247.16 acres in S.No. 41/3 was brought to auction by the Revenue Officials by a Gazette Notification vide Gazette dated 1.6.1933. The above said lands measuring an extent of 247.16 acres comprised in S.No. 41/3 at Karunguzhipallam village in patta no. 61 was purchased under public auction by Thiru. Kunnappa Naicker and thereafter, the said Kunnappa Naicker sold the properties admeasuring a extent of 247.16 acres to the various persons.</p>	<p>The present petitioner appeared for enquiry and furnished copies of District Gazette for the year 1926, 1927, 1933, 1942 and certain Court's orders to substantiate to their claim.</p>

				The District Collector has stated that thereafter, the lands measuring an extent of 15 acres of lands in S.No. 41/3 was sold by one Thiru. Sapabathy Mudaliar to Tmt. Rukmaniammal vide sale deed document no. 740/1939 dated 5.9.1939. After the demise of said Sapabathy Mudaliar, his legal heirs (totally 43 persons) have nominated one Thiru. Mohanraj as Power of Attorney to maintain these lands through the District Munsif Court's order in O.S.No. 464/2009.	
16	Thiru. Paranthaman S/o. Lakshman	41/3	8.00	It is stated in the Collector's report that the present petitioner, Thiru. Paranthaman S/o. Lakshman appeared for enquiry and stated that his grandmother purchased the subject property vide document No. 1022 of 1936 and a copy of the above sale deed document was produced by the present petitioner.	The present petitioner appeared for enquiry and furnished a copy of sale deed document no. 1022 of 1936 dated 5.10.1936 and furnished a copy of Encumbrance Certificate for the period from 1.1.1987 to 25.9.2016 to support of his claim.
17	Thiru. Sivanantham S/o. Renugounder	41/3	20.00 acres 15.00 acres 3.50 acres 3.50 acres 3.50 acres 6.50 acres	It is stated in the Collector's report that the present petitioner, Thiru. Sivanantham S/o. Renugounder appeared for enquiry and stated that he purchased the subject property vide document Nos. 309 of 2010 dated 7.6.2010, 606 of 2009 dated 8.6.2009, 631 of 2009 dated 12.6.2009, 246 of 2010 dated 7.5.2010, 269 of 2010 dated 17.5.2010, 626 of 2009 dated 11.6.2009, 5613 of 2009 dated 9.6.2009, 247 of 2010 dated 7.5.2010, 658 of 2009 dated 23.6.2009 and 614 of 2009 dated 9.6.2009 and furnished the above sale d	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner.

			8.00 acres 8.00 acres 7.00 acres & 5.00 acres	eed documents to claim title over the subject lands.	
18	Thiru. Babu S/o. Sivanantham	41/3	105 acres	The District Collector has stated that it is ascertained through an enquiry that the subject lands belonged to the legal heirs of Late. Thiru. S. abapathy Mudaliar and based on the order of the Supreme Court, the interested person Thiru. Babu S/o. Sivanantham sought for patta in his favour.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate.
19	Tmt. Devasena W/o Late. Rajasekaran	41/11 & 41/12	2400 sq.ft.	The District Collector has stated that the interested persons Tmt. Devasena W/o. Late Rajasekaran appeared for enquiry and stated that as per the sale deed Document No. 2022/1974, the subject lands were purchased by her father in law Thiru. Munusamy S/o. Rajanna Naidu in favour of her husband Thiru. Rajasekaran and accordingly, she has requested for patta in her favour.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the District Collectorate.
20	Thiru. Selvakumar S/o. Vedhavathi Kumaravelu	41/15 (Patta No. 210)		The District Collector has stated that the interested person Thiru. Selvakumar S/o. Vedhavathi Kumaravelu appeared for enquiry and has stated that the Government had assigned the subject lands in S.No. 41/15 in favour of	The Counsel for the present petitioner appeared for enquiry and no additional documents were produced by the petitioner other than the copy of the sale deed produced before the

				<p>s father Thiru. Vedhavathikumravelu vide G.O.Ms.613, Revenue dated 2.5.1989 and thereafter, the Tahsildar, Chengalpattu in his order No. 4650/89 dated 13.7.1989 had issued the D-Form –Land Assignment patta in favour of Thiru. Vedhavathikumravelu and that it is seen from the Adangals upto the year 2017, the lands were brought under cultivation. As on the date, the entry in the Computerized “A” Register was blocked and hence, the interested person who is the legal heir of the above said assignee requested to remove the block entry in the computerized “A” Register and to issue patta in his favour.</p>	District Collectorate
21	Thiru. B.S. Ahmed, Chennai 78	41/9	Out of 5.00 acres, 2.50 acres	No representation made before the District Administration.	The present petitioner has made a representation before this Forum on 4.10.2023 stating that as per G.O.Ms. No. 1750, Revenue dated 13.5.1963, the Tahsildar, Chengalpattu vide his proceedings D. C.No. 112/78/B2 dated 8.10.1969 assigned 5.00 acres of lands in S.No. 41/9 at Karunguzhipallam village on free of cost to Major G. S.Ahmed, Serving Army Officer. It is further stated that after 15 to 20 years, Army personnel even while continuing in the army services came to know that the patta issued in his favour was cancelled for reasons unknown to him, sent an appeal to t

					<p>the Commissioner of Land and Administration and who by his order No. F1/70123/92 dated 4.6.1993 had passed an order for restoration of the patta in favour of Major G.S. Ahmed and based on this order, new patta no. 234 was assigned in favour of the said Army person and necessary entries with all the details were made in the adangal for the said land. After that due to old age of Major G.S. Ahmed decided to sell the land in favour of Thiru. B.S. Ahmed (the present petitioner herein) for an extent of 2.5 acres, out of 5.00 acres assigned in his favour vide document No.1085 of 1999 dated 24.11.1999. In this regard, the present petitioner approached the Taluk office and they informed that there was no entry in the department records regarding the issuance of patta in his favour and hence, the petitioner is prayed to do the needful to establish his right over the property purchased by him.</p>
22	Thiru. A.L. Subash, Chennai 83	41/9	Out of 5.00 acres, 2.50 acres	No representation made before the District Administration.	The present petitioner has made a representation before this Forum on 4.10.2023 stating that as per G.O.Ms. No. 1750, Revenue dated 13.5.1963, the Tahsildar, Chengalpattu vi

de his proceedings D. C.No. 112/78/B2 dated 8.10.1969 assigned 5.00 acres of lands in S.No. 41/9 at Karunguzhipallam village on free of cost in favour of Major G.S.Ahmed, Serving Army Officer. It is further stated that after 15 to 20 years, Army personnel even while continuing in the army services came to know that the patta issued in his favour was cancelled for reasons unknown to him, sent an appeal to the Commissioner of Land Administration and who by his order No. F1/70123/92 dated 4.6.1993 had passed an order for restoration of the patta in favour of Major G.S. Ahmed and based on this order, new patta No. 234 was assigned in favour of the said Army person and necessary entries with all the details were made in the adangal for the said land. After that due to old age of Major G. S. Ahmed decided to sell the land in favour of Thiru. A.L. Subash (the present petitioner herein) for an extent of 2.5 acres, out of 5.00 acres assigned in his favour vide document No.2259 of 1999 dated 24.11.1999. In this regard, the present petitioner approached the Taluk office and they i

					informed that there was no entry in the department records regarding the issuance of patta in his favour and hence, the petitioner is prayed to do the needful to establish his right over the property purchased by him.
23	M.Chandrasekaran S/o K.Muthusamy, Chennai – 13.	41/3 part	5.5 Acre	The present petitioner did not turn up for enquiry conducted by the District Administration.	With regard to the persons noted against in SI.No.23 to 37, the Counsel for petitioners appeared for enquiry and filed the written statement by stating that the sale deeds No. 408/1997 and etc. (totally 13 sales) were executed in favour of P.I. Mohamed Kutty @ Mamooty and others through General Power of Attorney and the above sale deeds were executed by the male legal heirs of the deceased Kabalipillai as if the male legal heirs alone are the only legal heirs leaving the female legal heirs and suppressing the fact that the female legal heirs also have rights over the said property in S.No. 41/3, hence the sale deeds are not valid which are null and void. Subsequently, these sale deeds were cancelled and against the said cancellation of sale deeds, the suits in O.S.Nos. 302 to 314 of 2010 are filed and the same is pending before the Sub
24	Tmt. N. Vatchala & U. Kasthuri, N.Jayaganthi, J. Janagi, K.Kamatcchi, R. Jegadheswari, N.Parthasarathi Chennai – 600 081 (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	
25	D.Sami Chennai – 54. (Impleaded as Respondents for	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	

	r W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)				Court, Chengalpattu. In the meantime, challenging the Decree and Judgement dated 10.2.2005 in O.S.No. 209/2004, Mohammed Kutty and others filed a suit bearing in O.S.No. 2008 and the same is also now pending before the Sub Court, Chengalpattu. Moreover, sale agreement dated 6.11.2006 executed by one Thiru. Ravi (who is the son of Subramani and grandson of Govindammal) had executed the 2 sale agreements dated 6.11.2006 and 12.12.2007 in favour of Gnanaprakasam and Radhakrishnan by conveying others' shares of properties and based on the said two sale agreements, the suits in O.S.No. 488/2007 and O.S. 137 of 2008 filed and the same was decreed on 6.11.2007 and 6.1.2009 without the knowledge of the legal heirs of the deceased Kabalipillai. Based on the the bove said decrees, two respective sale deeds have been executed and against this, all the legal heirs of the deceased Kabalipillai have filed a suit in OS.No. 263 of 2012 before the District Court, Chengalpattu. Since the legal heirs of the deceased Kabalipillai being the joint owners of the shares allotted b
26	Tmt.K. Logeshwari Chennai – 166. (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	
27	P.Ezhilarasu S/o Dhanaparvathi, P. Babukanithi S/o. Dhana parvathi Chennai 113. (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	
28	C.Ravi, C.Ragu, C.Arulanathan, C.Ramachandiran, C.Vijayalakshmi C.Datchaya	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	

	ni (Interested persons) Chennai 48			by a decree and judgment dated 10.2.2005 in O.S.No. 209 of 2004, they are the right holder of the property in S.No. 41/3 and the pattas shall be issued in their names of the property allotted as per decree. Therefore, it is prayed that patta cannot be issued to any of the parties in the proceedings and the same shall be decided after the disposal of all suits pending before the Courts at Chengalpattu and the petitioners herein are parties in the above mentioned suits.
29	J.Bhuvanesh Kumar, A. Hemamalini, J.Baskar (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras) Chennai – 98.	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
30	N.Jayaraman (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
31	K.Flawarencie, K.Sasikala, B.Vidhya, K.Prem Kumar	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
32	V.Mohan & V.Saraswathi, V.Kumaresan, V.Rajesh, V.Kumari (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.

	Vada Nemili, Perur Post, Kannapiran Koil Street, Kancheepuram District.			
33	T.Vijayalakshmi, W/o. D.Thamaiyan, T.Sakthivel, S/o.Thamaiyan (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras) Pudukcherry – 605 107	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
34	Tmt.C.Muthulakshmi C.Sathishkumar C.Prasanna Kumar C.Sendhil A.Sridevi (Covered in W.P.No. 28474 of 2012 impleaded as Respondent)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
35	L.Palani L.Nethunagopal N.Vatsala	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.

	L.Dhatchayani J.Janaki (Impleaded as Respondents for W. P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras) Chennai – 100			
36	Tmt.M.Parimala & K.P. Pandiyarasu, K.P.Vijayakumar, J.Sarala, K. Shanthi, K. Lavanya, K. Prabu (Impleaded as Respondents for W. P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras) Chennai – 110.	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.
37	S.Parimala M.Ravi S.Nirmala Jayamala (Impleaded as Respondents for W. P.No. 2847	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.

	4 of 2012 o n the file of Hon'ble Hig h Court of Madras)				
38	Hari M ahesh, No.7, Law Chamber, High Court Buildings, Chennai – 104.			The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner did not turn up for enquiry.
39	Tmt.Seetha lakshmi, W/o. Late. Radhakrish nan, Chennai – 600 023.	41//3 part	17.14 acres	The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner to support of her claim.
40	Thiru. Fakr uddin H. Ba gat S/o. Husen y H. Bagat, Chennai – 600 010.	41//13	1.25 acres	The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner appeared for enquiry and filed a written statement by stating that he purchased the subject property from one Thiru. Thangavel Mudaliar vide sale deed document no. 19/1986 dated 6.1.1986 and subsequently the patta stood in the name of his vendor was cancelled. Against this, the petitioner has filed a suit in O.S.No. 144 of 2011 before the DMC, Chengalpattu and the same is pending for disposal and hence, it is prayed that no adverse order could be passed till the disposal of the above suit in O.S.No.

					144 of 2011. It is seen from the sale deed document dated 6.1.1986 that originally the subject lands were assigned to the Vendor Thiru. Thangavel Mudaliar on 20.2.1970 and the patta was assigned under patta No. 82.
41	M.Joseph, S/o. B.A. Muthupillai, Chennai – 600 082.	41//11	2400 sq.ft.	The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner appeared for enquiry and furnished a copy of the sale deed document dated 30.12.1974 wherein the petitioner's father Thiru. B.A. Muthupillai had purchased the subject lands from one Thiru. S. Vijaya kumar, Power Agent of Tmt. S. Thulasi W/o. M. Sivalinga Naicker to support of his claim.
42	K.K.Balraj, K. Subramanian, New Perunkalathur, Chennai – 600 063.	41//3 part	4.00 acres	The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner appeared for enquiry and no additional documents were produced by the petitioner to support of his claim.
43	Suresh Ushah (Impleaded as Respondents for W.P.No. 28474 of 2012 on the file of Hon'ble High Court of Madras)	41/3 part		The present petitioner did not turn up for enquiry conducted by the District Administration.	The present petitioner did not turn up for enquiry.
44	Mohammed	41/3 part		The present petitioner did not	The present petitioner

Yemani, Chennai – 20.		ot turn up for enquiry condu cted by the District Administ ration.	did not turn up for enq uiry.
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As per the report of the District Collector, Chengalpattu for S.No.41:-

The District Collector has stated that it can be seen from the OSR “A” Register (Year 1877) that the subject lands in S.No. 41 was classified and recorded as “Sarkar Poramboke- **Back Water(Uppankazhi)**” and no ryot’s name was mentioned in the records maintained from the year 1877 onwards. In the year 1911, it is seen from the Revision Survey and Resettlement Register that the said lands in S.No. 41 measuring a total extent of 269.90 acres was classified as “Government Poramboke” and in the remarks column mentioned as “**Kazhuveli**”.

Encumbrance Certificate (For S.No. 41 at Karunguzhipallam village) submitted by the District Collector, Chengalpattu:-

The District Collector has stated that the Encumbrance Certificate obtained from the year 1.1.1900 to 31.12.1975 for 75 years and the following transactions were effected with respect to the subject lands in S.No.41.

Sl.No.	S.No.	Extent in acres	Name of the Seller	Name of the Purchaser	Document No. & Date
1.	41/1	15.73	Thiru. Subburaya Kottradiar	Thiru. C. Cunniah	1414/1926 dated 4.5.1926
2.	41/1	15.73	Thiru. C. Cunniah	Thiru. Anandalwar	467/1927 dated 14.6.1927
3.	41/1	15.73	Thiru. Anandalwar	Thiru. Sirur(g)	415/1928 dated 21.5.1928
4.	41/1	15.73	Official Assignee, Subbraya Kottaraj B, Yarkastate B	Thiru. Sirur	1953/1929 dated 31.8.1929
5.	41/1	4.00	Thiru. Athimoola Naidu	Tmt. Padavattambal	259/1934 dated 24.3.1934

6.	41/1	4.00	Thiru. Athimoola Naidu	Thiru. Kapalipillai	260/1934 dated 24.3.1934
7.	41/1	7.00	Thiru. Athimoola Naidu	Tmt. Nagammal	384/1934 dated 24.3.1934
8.	41/3	20.00 101.00	Thiru. Kunnappa Naicker	Thiru. Muthukrishna Naidu	550/1936 dated 22.6.1936
9.	41/3	50.00	Thiru. Muthukristan	Thiru. Athimoola Naidu	573/1936 dated 21.6.1936
10.	41/3	12.00	Thiru. Kunnappannaicker	Thiru. Narayanasamy Mudali	371/1938 dated 3.2.1938
11.	41/3	0.26	Thiru. Narayanasamy Mudali(1) Gangadharanaidu Bangarunaidu Thalatchampillai	Thiru. Sabapathy Mudali	870/1939 dated 19.10.1939
12.	41/3	6.50	Thiru. Kunnappannaicker	Thiru. Gnanamani Ammal	1011/1939 dated 1.12.1939
13.	41/3	20.00	Thiru. Muthuukrishta Naidu	Thiru. Mohamed Sahib	1045/1939 dated 11.12.1939
14.	41/3	20.00	Thiru. Mohamed Sahib	Thiru. Sathan (@) Simsan	1419/1940 dated 20.12.1940
15.	41/1A 41/4	9.21 2.18	Tmt. Nagammal-1 Thiru. Kannan-2 Thiru. Chinnapaiyan-3 Thiru. Veeraragavan-4	Thiru. Ramaiyah Maistri	1213/1965 dated 7.9.1965

			Thiru. Krishtan-5 Thiru. Kuppusamy-6 Thiru. Balakrishtan-7		
16.	41/3 (New S.No. 41/4)	5.00	Tahsildar, Chengalpattu	Vaikas	X/1968 dated 6.12.1968
17.	41/25 41/26	3.00	Tahsildar, Chengalpattu	Ahamed	L2/1971 dated 25.9.1970
18.	41/27 & 41/28	3.00	Tahsildar, Chengalpattu	Sankaran (KR)	L3/1971 dated 25.9.1970
19.	41/60 & 41/61	3.00	Tahsildar, Chengalpattu	Gangadharan(N)	L4/1971 dated 25.9.1970
20.	41/44 & 41/47	3.00	Tahsildar, Chengalpattu	Gangadharan(Dr)	L5/1971 dated 25.9.1970
21.	41/59 & 41/62	3.00	Tahsildar, Chengalpattu	Subbaiyah	L6/1971 dated 25.9.1970
22.	41/43 & 41/48	3.00	Tahsildar, Chengalpattu	Sarangabani	L7/1971 dated 25.9.1970
23.	41/58 & 41/63	3.00	Tahsildar, Chengalpattu	Ramanujam	L8/1971dated 25.9.1970
24.	41/69 & 41/70	3.00	Tahsildar, Chengalpattu	Deivasiganami	L9/1971dated 25.9.1970
25.	41/71 & 41/72	3.00	Tahsildar, Chengalpattu	Selvaraji	L10/1971dated 25.9.1970
26.	41/73 & 41/74	3.00	Tahsildar, Chengalpattu	Ramakrishnan	L11/1971dated 25.9.1970
27.	41/75 & 41/76	3.00	Tahsildar, Chengalpattu	Anandam KC	L12/1971dated 25.9.1970

28.	41/55 & 41/66	3.00	Tahsildar, Chengalpattu	Venugopal	L13/1971dated 25.9.1970
29.	41/56 & 41/65	3.00	Tahsildar, Chengalpattu	Reddi (SLN)	L14/1971dated 25.9.1970
30.	41/57 & 41/64	3.00	Tahsildar, Chengalpattu	Vaithyalingam	L15/1971dated 25.9.1970
31.	41/58 & 41/63	3.00	Tahsildar, Chengalpattu	Jeyaraj	L16/1971dated 25.9.1970
32.	41/91 & 41/92	3.00	Tahsildar, Chengalpattu	Papjirao	L17/1971dated 25.9.1970
33.	41/89 & 41/90	3.00	Tahsildar, Chengalpattu	Rajan(RM)	L18/1971dated 25.9.1970
34.	41/87 & 41/88	3.00	Tahsildar, Chengalpattu	Radhakrishnan ®	L19/1971dated 25.9.1970
35.	41/85 & 41/86	3.00	Tahsildar, Chengalpattu	Srinivasan (SA)	L20/1971dated 25.9.1970
36.	41/10	5.00	Tahsildar, Chengalpattu	Primary Co- operative Land Development Bank, Chengalpattu	438/1971dated 4.5.1971
37.	41/1B	4.34	Ponnusamy(K) Pandiyarasu(Em) (2) Kalanithi(EM)-3 Jeyakumar(EM)-4	Primary Co- operative Land Development Bank, Chengalpattu	1267/1971dated 28.10.1971
38.	41/11 (Plot No.29)	2400 sq.ft.	Chennai Ganapathy Syndicate	Sundaramoorthy	1782/1974 dated 23.8.1974
39.	41/11 & 41/2 (Plot No.47)	2400 sq.ft.	Chennai Ganapathy Syndicate	Desinghachari	1847/1974 dated 8.10.1974

40	41/11 (Plot No.21)	2400 sq.ft.	Chennai Ganapathy Syndicate	Gothandaraman (CR) Ramagopal(G)	1848/1974 dated 8.10.1974
41	41/14 (Plot No.67)	2400 sq.ft.	Chennai Ganapathy Syndicate	Thulasiammal	2018/1974 dated 30.10.1974
42	41/11 & 41/12 (Plot No.44)	2400 sq.ft.	Chennai Ganapathy Syndicate	Thulasidoss	2020/1974 dated 30.10.1974
43	41/11 & 41/12 (Plot No.45)	2400 sq.ft.	Chennai Ganapathy Syndicate	Munusamy(BR)	2022/1974 dated 30.10.1974
44	41/11,12 (Plot No.53)	2400 sq.ft.	Chennai Ganapathy Syndicate	Sakunthala	2311/1974 dated 24.12.1974
45	41/11,14 (Plot No.74,75)	2400 sq.ft.	Chennai Ganapathy Syndicate	Sathyabama	2314/1974 dated 24.12.1974

Justification Report furnished by the District Collector, Chengalpattu for S.No.41:

The District Collector has also stated that after perusal of the connected records, the following facts are revealed through an enquiry made with the interested persons:-

It can be seen from the Official Gazette of Chennai and Chengalpattu District dated 22.6.1933 in No.6, the classification of subject lands in S.No. 41 together with some other lands originally belonged to one Thiru. Subburaya Kottradiar under patta No. 35. The said Subburaya Kottradiar executed a mortgage deed in favour of one Thiru. Cunniah vide Document No. 1414/1926 dated 4.5.1926. Thereafter, the said Cunniah assigned the mortgage right in favour of Thiru. Anandalwar by a deed of assignment in Document No. 467/1927 dated 14.6.1927. Thereafter, the said Anandalwar assigned the said lands in favour of one Thiru. Sirur by a deed of assignment in document no. 615/1928 dated 23.5.1928.

Thereupon, the High Court of Madras adjudicated Subbaraya Kotradar as an insolvent vide order dated 5.4.1927. The Official Assignee therefore conveyed the lands in favour of Thiru. G. Sirur by a deed of sale deed dated 31.8.1929. Since the said Sirur failed to pay the land tax due to the Government, the property was sold in revenue auction on 30.10.1933. One Thiru. Kunnappa Naicker purchased the said land. He was issued patta bearing No.51. Since then he was in possession and enjoyment of the land. Out of the total extent of 269 acres, an extent of 121 acres was purchased by one Muthukrishna Naidu by a sale deed No. 550/1936 and thereafter, the following sale transactions were taken place on the subject lands which are detailed below:-

Sl.No.	Date	Doc. No.	Extent in acres	Name of the Purchaser
1.	22.6.36	550/36	121.00	Muthukrishna Naidu
2.	3.6.38	371/38	21.00	Narayanasamy Mudaliar
3.	3.6.38	372/38	3.50	Kadhar Meeran Sahib
4.	3.6.38	374/38	7.00	Thalasayanapillai
5.	3.6.38	505/38	7.00	Bangaru Naidu
6.	15.6.38	505/38	74.50	Sabapathy Mudaliar
7.	1.12.39	1011/39	6.50	Gnanamani Ammal

The District Collector has stated that it is seen from the Encumbrance Certificate that among the above purchasers, one Thiru. Muthukrishna Naidu had got title over the lands measuring an extent of 121 acres, out of 247.16 acres through purchase from Thiru. Kunnappa Naicker vide the sale deed document No. 550/36 dated 22.6.1936. The said Muthukrishna Naidu executed a Will bequeathing his properties in favour of Tmt. Rajeswari and Tmt. Vijayalakshmi, daughter and granddaughter respectively by a Will dated 23.10.1987. and the said Muthukrishna Naidu died on 23.11.1991 leaving behind the above persons as his heirs. Accordingly, the above claimants Tmt. Rajeswari and Tmt. Vijayalakshmi had taken over the subject property of the lands and they obtained patta for an extent of 121 acres from the District Revenue Officer, Kancheepuram vide the proceedings in R.Dis. H1/37258/2001 dated 25.4.2001.

Thereafter, the said orders of the DRO, Kancheepuram was set aside by the Commissioner of Land Administration vide the proceedings in Roc. No. 44382/2002 dated 21.12.2004 for the reasons that the order of the District Revenue Officer, Kancheepuram appeared to be illegal/irregular one and also ordered that the classification of the lands was restored in original position as "Government Poramboke -Kazhuveli".

Aggrieved by the above order, Tmt. Rajeswari and Tmt. Vijayalakshmi have filed a Writ Petition No. 658 of 2005 before the Hon'ble High Court of Madras with a prayer to quash the orders passed by the Commissioner of Land Administration in the proceedings in Roc. No. K1/44382/2002 dated 22.12.2004 and direct the 3rd

Respondent (i.e. the Tahsildar, Chengalpattu) to issue patta in favour of the petitioners in respect of the lands measuring an extent of 121 acres comprised in S.No.41/3 at Karunguzhipallam village.

The District Collector has also stated that while the W.P.No. 658/2005 filed by Tmt. Rajeswari and Tmt. Vijayalakshmi was pending before the Hon'ble High Court of Madras, another revival claimants Tvl. N. Nandagopal and 42 others (i.e. **they are the grandsons/grand daughters of Late. K.A. Sabapathy Mudaliar who had purchased the lands measuring an extent of 74.50 acres in S.No. 41/3 at Karunguzhipallam village from one Thiru. Kunnappa Naidu vide sale deed document No. 505 of 1939**) filed an application before the Tahsildar seeking for grant of patta for 105 acres in S.No. 41/3 of Karunguzhipallam village, Chengalpattu Taluk. The Tahsildar, Chengalpattu by an order dated 3.9.2009 citing the order of the Special Commissioner and Commissioner of Land Administration dated 21.12.2004, rejected the claim of the said persons.

Aggrieved by the above order, one Thiru. T. Mohanraj, Power Agent of Tvl. Nandagopal and 42 others had filed a Writ Petition in W.P.N. 21236/2009 and MP No. 2/2009 & 1/2010 before the Hon'ble High Court of Madras against the orders passed by the Special Commissioner and Commissioner of Land Administration in his proceedings R.Dis.K1/44382/2002 dated 21.12.2004, the order of the DRO, Kancheepuram vide the proceedings Roc. No. H1/40410/2002 dated 28.12.2004 and the orders of the Tahsildar, Chengalpattu in Roc. No.3205/2002/A2 dated 28.12.2004 & 6310/2009/B2 dated 3.9.2009 respectively. Upon this, the Hon'ble High Court has passed an order on 13.4.2010 and stayed the orders of the the Special Commissioner and Commissioner of Land Administration as well as the DRO, Kancheepuram and also the endorsement issued by the Tahsildar, Chengalpattu and directed the Tahsildar, Chengalpattu to consider the representation of the Writ Petitioner and to pass orders within 12 weeks from the receipt of the copy of the order.

Against the aforesaid orders of the High Court, the Special Commissioner/Commissioner of Land Administration filed Writ Appeals in W.A.No.1376/2010 and 2182/2010. In its common order dated 14.12.2010, the Hon'ble High Court of Madras upheld the order of Special Commissioner/Commissioner of Land Administration dated 21.12.2004, treating the land in S.No.41/3 as '*Government Poromboke Kazhuveli*'. However, a Review Application No.38/2011 was filed by Thiru Nandagopal and 42 others. The High Court in its order dated 28.6.2011 set aside the Special Commissioner/Commissioner of Land Administration's order dated 21.12.2004 and

directed the Tahsildar, Chengalpattu to consider the representation afresh in light of the order passed by the Special Commissioner/Commissioner of Land Administration's order dated 21.3.2007 in the case of Thiru Mammooty. The Special Leave Petition filed by the Special Commissioner/Commissioner of Land Administration was dismissed on 28.11.2011.

Further, previous to this, during the year 1996, the then Assistant Settlement Officer, Tiruvannamalai in his orders S.R.26/96, dated 13.6.1996, without any jurisdiction had created a claim in favour of Thiru Muthusamy and 11 others for an extent of 16.19.5 hectares in S.No.41/3 under section 11(a) of Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act 1948, Tamil Nadu Act XXVI/48. Having noticed the irregularities in the Assistant Settlement Officer's orders, the then Settlement Officer in his letter dated 26.5.97 has sent a proposal to the Special Commissioner and Commissioner of Land Administration to review the Assistant Settlement Officer's orders. After reviewing the case, the then Special Commissioner and Commissioner of Land Administration in his order dated 26.9.1997, had set aside the orders of the Assistant Settlement Officer, dated 13.9.96, for the irregularities noticed.

Against the said orders of the Special Commissioner / Commissioner of Land Administration of 1997, Tvl. P.M.Ismail and others filed the Writ Petition Nos.16776, 16804 and 16859 of 1997 before the Hon'ble High Court of Madras. The Hon'ble High Court by its order dated 17.11.1997 allowed the Writ Petitions and directed the Special Commissioner and Commissioner of Land Administration to issue a show cause notice to the respective writ petitioners, setting out the grounds as to why the orders of the Assistant Settlement Officer, should not be set aside, and then pass suitable orders.

Pursuant to the directions issued by the Hon'ble High Court of Madras, the beneficiaries of Assistant Settlement Officer's order dated 13.5.1996 and the Writ petitioners heard by the Special Commissioner / Commissioner of Land Administration and passed the order dated 21.3.2007 wherein he had observed that :-

"The files relating to a suo motu revision of one Tmt.Rajeshwarl and Tmt.Vijayalakshmi in which my predecessor had passed. an order dated: 21.12.2004 vide ref. R.Dis. K1/44382/2002 in respect of and in Survey No. 41/3 of Karunkuzhiapallam Village measuring 121 acres. It appears that Tmt. Rajeswari and Vijayalakshmi have obtained patta pursuant to an order passed by the District Revenue Officer, Kancheepuram in his proceeding R.Dis. HI/37258/01, dated

25.04.2002. In the said proceedings the said claimants have admitted the sale deeds in favour of Mr. Muthukrishna Naidu in favour of Mr Kapali Pillai. They have referred to the will dated 23.10.1987 executed by Mr. Muthukrishna Naidu. When the property has been sold by Muthukrishna Naidu in the year 1936 itself the reliance placed by Tmt. Raheshwari and Vijayalakshmi on a will purported to have been executed on 23.10.1987, which raised doubt. They have also argued that the land is a private land and not a Government land. My predecessor in page 7 of his order had also referred to the earlier direction of the Special Commissioner and Commissioner of Land Administration dated 13.6.2001, to consider the claims of Tmt Rajeshwari and Vijayalakshmi, based on the possession and enjoyment after verifying the records. The District Revenue Officer has simply accepted the documents produced by the claimants without calling for reports from Tahsildar and Revenue Divisional Officer and examining the claims of other parties. After the writ petition filed by them, the matter was brought to the notice of the then Commissioner of Land Administration. My predecessor had observed that the claims of the respondents are imaginary and the order of the District Revenue Officer lacks application of mind. Based on these observations, the then Commissioner of Land Administration in his order dated: 21.12.2004 had observed that the title has not been proved and rightly set aside order of the District Revenue Officer dated 25.4.2004.”

Meanwhile, on the basis of the orders passed by the Special Commissioner/Commissioner of Land Administration in K1/3172/1996, dated 9.2.2007, in the case of Thiru Mammooty, the Tahsildar, Chengalpattu, in his order dated 29.9.2007 has ordered to register the lands in the names of Thiru Mammooty and others. Aggrieved by the orders of the Tahsildar, Chengalpattu, one Thiru S.Ravi filed an appeal to the Revenue Divisional Officer, Chengalpattu, who in his endorsement dated 24.2.2009 rejected the appeal and directed to seek remedy from the Civil Court. Aggrieved by this reply, Tmt.S.Neelavathy W/o. Subramani filed an appeal to the District Revenue Officer, Kancheepuram, who in his order dated 16.6.2012 set aside the orders of the Tahsildar on the grounds that the patta issued by the Tahsildar was against the direction given by the Special Commissioner/Commissioner of Land Administration, wherein it has been ordered that any dispute in title, the claimants should approach the competent civil court. The District Revenue Officer has also restored the original classification of the land to 'Government Poramboke Kazhuveli' as in the Re-survey and Re-settlement Register 1911, prior to U.D.R.

In the instant case, both the orders of the Special Commissioner and Commissioner of Land Administration dated 21.12.2004 and then succeeding

Special Commissioner and Commissioner of Land Administration have been analysed with reference to records. In the year 2007, the Commissioner of Land Administration has cancelled the Assistant Settlement Officer's order, but wrongly concluded that 40 acres as patta land while the overall land itself has been confirmed to be Kazhuveli by the Commissioner of Land Administration in the year 2004. Based on the general direction of the Special Commissioner & Commissioner of Land Administration in the year 2007, the Tahsildar has given patta. It is to be noted that the Special Commissioner & Commissioner of Land Administration has nowhere specifically ordered that the Writ Petitioner should be the patta holder.

In any case, once the overall the land has been classified as "Kazhuveli" in the year 2004 by the then Commissioner of Land Administration, it cannot be reopened by successor in office and declared as patta. It is further submitted that the then succeeding Special Commissioner / Commissioner of Land Administration though he had upheld the orders of the predecessor dated 21.12.2004 had passed orders stated that the suit land are patta lands which is totally not correct and misconstrued. It is also subject to verification whether the self-same matter can be adjudicated by the succeeding Special Commissioner / Commissioner of Land Administration and declaring the same suit land 41/3 as patta land when the predecessor has declared it as "Government poramboke kazhuveli".

In respect of change of classification of water courses, no authority is competent to change such classification. It is also pertinent to note that the lands belong to the classification of "Kazhuveli" or back water which perform a key ecological role. In similar kazhuveli is along the East Coast, action has been taken by Government to notify the same as sanctuaries / reserve forests for the preservation of the wet land ecology. In view of this, as highly objectional water course Government lands (Kazhuveli-Backwater) as settled in the year 1911 are involved and hence, the Principal Secretary / Commissioner of Land Administration in his proceedings Roc. No. K1/1860/2017 dated 16.3.2021 has passed an order declaring that orders of the SC/Commissioner of Land Administration dated 21.3.2007 classifying the lands as patta lands are null and void and to restore the entire lands to their original classification as highly objectionable water course Government poramboke-Kazhuveli (Backwater).

The District Collector, Chengalpattu was instructed to cancel all the wrongly issued pattas in the entire lands which are originally classified as highly objectionable water course Government poramboke-Kazhuveli (Backwater) in No.117 Karunguzhipallam village and the entire extent of the lands are ordered to be restored back to their original classification as in 1911 as highly objectionable

water course Government poramboke-Kazhuveli (Backwater) in all the revenue records. The District Collector, Chengalpattu was also directed to initiate **appropriate disciplinary and criminal action against those officials** who indulged in the issuance of ineligible pattas beyond their powers and jurisdiction by ordering change of classification on a **highly objectionable ecologically sensitive backwater water course poramboke**.

Further, the District Collector, Chengalpattu was directed to notify the entire lands of Kazhuveli in Karunguzhipallam village, i.e. S.Nos.13 to 17, 19 to 24, 25 to 30/1, 30/5, 31, 32, 37 to 41 to be "Reserve lands" in the District Gazette under Section 26 of the Tamil Nadu Forest Act 1882, rule 5A of the General Rules. The District Collector, Chengalpattu was also requested to initiate action under the Tamil Nadu Forest Act, 1882 for notifying the said lands as Reserve Forest under Section 4 of the Tamil Nadu Forest Act 1882.

In this connection, the District Collector has stated that pursuant to the above order of the Commissioner of Land Administration dated 16.3.2021, the orders were issued vide his proceedings in Roc. No. B4/40410/2002 dated 19.3.2021 for reclassifying the lands in 13 to 17, 19 to 24, 25 to 30/1, 30/5,31,32,37 to 41 as "Government Poramboke-Kazhuveli (Backwater)" i.e the original classification as in the RSR "A" Register during the year 1911 and also ordered that necessary changes be carried out in the relevant revenue records to this effect.

Aggrieved by the above order of the PS/Commissioner of Land Administration dated 16.3.2021, Tvl. P.I. Mohammed Kutty @ Mammooty and 4 others have filed a Writ Petition in W.P.No. 16419/2021 before the Hon'ble High Court of Madras with a prayer to call for the records of the first respondent (i.e. the PS/Commissioner of Land Administration) dated 16.3.2021 vie ref. Roc. No. K1/1860/2017 and quash the same. Besides this, Tvl. R. Gnanaprakasam and etc. have also filed the Writ Petitions separately in W.P.No. 2077/2017, 2080/2017, 25161/2012 and 28474/2012 before the Hon'ble High Court of Madras relating to the subject matter of similar lands in S.No. 41/3 at Karunguzhipallam village, Thiruporur Taluk, Chengalpattu District (Erstwhile Kancheepuram District). In its order dated 21.12.2021, the Hon'ble High Court of Madras has passed the following order in the above mentioned Writ Petitions as detailed below:-

W.P.No. 16419/2021:

14. Though the first respondent passed detailed order, admittedly no notice was issued to the petitioners or any other persons, who were issued patta as per the order dated 21.3.2007 on the file of first respondent. They were not given any opportunity of hearing and the first respondent passed an impugned order. Therefore, it amounts to violation of principles of natural justice. On the sole ground alone,

the impugned order passed by the first respondent cannot be sustained and it is liable to be set aside.

15. In view of the above, the impugned order dated 16.3.2021 vide ref. No. K1/1860/2017 passed by the first respondent is hereby quashed,. The matter is remanded back to the first respondent for fresh disposal. It is made clear that the first respondent is directed to issue notice to the petitioners and the respondents 6 & 7 and other claimants over the subject land, if any within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the first respondent is directed to give them an opportunity of hearing and pass orders on merits and in accordance with law, within a period of twelve weeks thereafter."

W.P. Nos. 2077 and 2080 of 2017:

"17. In view of the order passed in W.P.No. 16419 of 2021, seeking patta in W.P.Nos. 2077 & 2080 of 2017 cannot be considered now. If they succeed before the Principal Secretary, Commissioner of Land Administration and the suits between the rival claimants, they are at liberty to apply for issuance of patta for the subject land before the authority concerned."

W.P.Nos. 28474 & 25161 of 2012:

"18, In view of the impugned order dated 16.3.2021 vide ref. Roc. No. K1/1860/2017, passed by the first respondent, W.P.Nos. 28474 & 25161 of 2012 dismissed as infructuous."

Pursuant to the above direction of the Hon'ble High Court of Madras, this case was posted for hearing on 21.1.2022, 7.3.2022 and 23.3.2022 respectively with the Writ Petitioners and the Respondents/interested parties concerned and the enquiry was already completed.

In this regard, it is informed that recently Tvl. M. Nandagopal Mudaliar and 42 others have filed a Writ Petition in W.P.No. 30503 of 2022 before the Hon'ble High Court of Madras with a prayer to issue a Writ of Mandamus directing the respondents (i.e. (1) the Commissioner of Land Administration, Chennai (2) the District Collector, Chengalpattu and 3 others) to grant patta to the petitioners in respect of the lands in S.No. 41/3 in Karunguzhipallam village, Chengalpattu District in the light of the earlier direction issued by the Hon'ble High Court of Madras in W.P.No. 21236 of 2009 dated 13.4.2010 and the subsequent proposal forwarded by the Tahsildar, Tiruporur viz. 5th respondent in his proceedings Na.Ka. No.6310/2009/A1 dated 21.8.2007 and thus render justice.

Upon this, the Hon'ble High Court of Madras in its order dated 17.11.2022

(received to this office on 23.2.2023) disposed of this writ petition with the following observations:-

“3. The learned Additional Government Pleader would submit that the Commissioner of Land Administration, Chepauk vide proceedings dated 16.3.2021 directed the District Collector, Chenbgalpattu to notify the subject land as Kaluveli, hence, the Mandamus will not lie. Therefore, prays this Court to dismiss this petition.

4. At this juncture, the learned counsel for the petitioner submits that the proceedings of the Commissioner of Land Administration dated 16.3.2021 was not served to them. Hence, he prays this Court to grant liberty to work out the remedy in the manner known to law.

5. With the above terms, these Writ Petitions are disposed of. No costs. However, the petitioners are at liberty to work out the remedy in the manner known to law.”

Report submitted by the Revenue Authorities pertains to S.No. 41/part at Karunguzhipallam village:

The District Collector has stated that the suit land was registered as “Kazhuveli Poramboke” during the 1911 Resurvey and Resettlement and Government “Anadheenam poramboke land” during 1985 UDR Scheme. The District Collector has also stated that the present claim of the petitioners is based on the documents of the years 1926 and 1933 and the sale notifications published in the Government Gazette of 1936 and 1938 by the Tahsildar in respect of the suit land. However, they have not produced the original sale documents. It is verified from these documents that there was a break in the linkage or documents i.e. the petitioners have not produced any orders of Tahsildar by which Thiru. Kunnappa Naicker allegedly purchased the suit land in public auction held on 30.10.1933 and how other names have also figured in the alleged patta number although the encumbrance certificate produced by the present petitioners/interested persons admit to no other sales by Thiru. Kunnappa Naicker in respect of this Survey number. During the enquiry also, the petitioners have accepted that they do not have any documentary evidence to prove this. Further, the present petitiones/interested persons did not have any documentary evidence to prove this. Further, they did not trace the origin of ownership of Subburaya Kottradiar who was said to have executed a mortgage deed in favour of Thiru. Cunnaiah and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru. Sirur. The High Court order was also not produced by the respondent in which the case of Thiru. Subburaya Kottradiar was adjudicated and he was declaed as insolvent debtor.

In the sale notice issued in the District Gazette No.5 (Vol:LXXXI) dated 2.5.1938 (photocopy) produced, it was mentioned that "the sale shall be stayed in the defaulters or other persons acting on their behalf or claiming an interest in the lands, tender the tax amount of the arrears of revenue with interest and other charges provided such tender be made before sunset on the day previous to the appointed day for the sale. Therefore, it is evident that if the landholders settled the arrears of land revenue to the Government, sale might have been stayed and title to land protected." However, no evidence has been produced to this effect that Thiru. Muthukrishna Naidu has settled the land revenue arrears on the day previous to the date of proposed sale perusal of the Gazette copy of 1936 produced by the petitioners shows the same names and number but with arrears on the day previous to the date of proposed sale. A perusal of the Gazette copy of 1936 produced by the petitioner shows the same names and number but with arrears amounting in 1938 over the level in 1936 clearly demonstrating inability or unwillingness to retain title claims. On perusing the records subsequent to 1938 it is found in District Gazette or Madras and Chengalpet No.8 dated 1.8.1941 that the same lands in S.No. 41/3 to a extent of 247.16 acres was notified here auction on 19.8.1941 for non-payment of land revenue due to the State. In this Notification, the suit land was registered in the names of Tmt. Gnanamani and others under patta No.61 with considerable past and current arrears. From those entries, it is inferred that even if Muthukrishna Naidu had any right over the suit lands, these rights were extinguished well before 1941 and possibly in 1938 itself. As a result, the purchase documents of 1936 by Muthukrishna Naidu cease to have any value as claim to title. In these circumstances, after the lapse of 60 years, the claim to title of successors of Late Muthukrishna Naidu based on the documents of 1926 to 1938, is baseless as they have not produced any documentary evidence prior to 1926 or after 1938 to date. Further, the interested persons if they have any kist receipts, patta copies for the suit lands or any evidence to show that they have received and perfected title to the claimed lands. All the petitioners did instead, produce a fresh Gazette copy of 1938 which stands rebutted by the Gazette notification of 1941. Even these claimants have never made any claims or paid kist which was the reason for they were cited as defaulters in the Gazette of 1941. The burden of proof lies with the present petitioners/interested persons in respect of suit lands which are all along registered as "Government Kazhuveli poramboke for the past 60 years.

The District Collector has stated that the present petitioners/interested persons have no evidence to prove their possession and enjoyment of the suit land from the year 1936 to date. When the petitioners have taken so much pains to trace out

their links to the vast extent of the suit land and claim that the lands are previously patta lands, they have no satisfactory explanation on why they never claimed patta registry through the years and at several crucial junctures before the revenue authorities before the District Revenue Officer's impugned order. In the result, the present petitioners/interested persons are seen to clearly lack any useful claims to title from 1941, if not from 1938 and have not produced any proof of subsequent years to support claim to title or enjoyment of any interest whatsoever.

The District Collector has also stated that it is verified from the Encumbrance Certificate that the Tahsildar, Chengalpattu had ordered to grant the land assignment for the lands in S.No. 41/25 & 41/26 (3.00 acres), 41/27 & 27/28(3.00 acres), 41/60& 41/61(3.00 acres), 41/44& 41/47(3.00 acres), 41/59& 41/62(3.00 acres), 41/43 & 41/48 (3.00 acres), 41/58 & 41/63 (3.00 acres), 41/69& 41/70(3.00 acres), 41/71& 41/72(3.00 acres), 41/73& 41/74(3.00 acres), 41/75& 41/76(3.00 acres), 41/55 & 41/66(3.00 acres), 41/56&41/65(3.00 acres), 41/57 & 41/64 (3.00 acres), 41/58 & 41/63(3.00 acres), 41/91& 41/92(3.00 acres), 41/89& 41/90(3.00 acres), 41/87& 41/88(3.00 acres), 41/85 & 41/86(3.00 acres) in favour of 19 beneficiaries during the year 1968 and however, as on date the assigned lands were not under the enjoyment possession of the assignees concerned and that these assigned lands are lying waste without anybody's claim for the past 25 years and that at the time of UDR Scheme, the above mentioned lands were treated and registered as "Government Poramboke-Anadheenam" lands. It is seen that after updation of UDR Scheme, so many sale transactions were took place on the above mentioned lands and that these sales could not be treated as a right of sale transactions and hence, the present request of the interested persons/present petitioners towards their claim over these lands could not be considered and liable for rejection.

Original Suit cases pending in connection with Thiru. P.I. Mohammed Kutty @ Mamooty and others:

At this juncture, it is pointed out that the Counsel for present petitioners noted against in **SI.No.23 to 37 above in respect of S.No. 41** appeared for enquiry and filed the written statement by stating that they are the legal heirs of the deceased Kabali pillai and sought patta for 40 acres, out of 247 acres of lands in S.No. 41/3 at Karunguzhipallam village. In this regard, it is stated that their predecessor-in-title one Thiru. Kabali pillai had purchased the lands the lands in S.No.41/3 measuring an extent of 247 acres originally owned by one Thiru. Muthukrishna Naidu vide sale deed document No. 574 of 1936 dated 29.6.1936 and after demise of the said Kabali pillai, the subject property was bequeathed to his legal heirs ie. Tmt.

Bagiavathiammal (Wife) and 4 daughters and 3 sons by way of Will on 7.9.1940. Thereafter, one of the legaheirs of the deceased Kabalipillai, Tmt. Varadammal was passed away on 13.8.1941 leaving behind her only son Thiru. Thamayan filed a partition suit in O.S.No. 81/1994 before the SuCourt, Chengalpattu and the same was transferred as O.S.No. 209 of 2004 to the District Munsif Court, Chengalpattu and the same was decreed on 10.2.2005. As per the decree and judgment, entire suit property in New S.No. 41/4 at Karunguzhipallam village have been partitioned equally and allotted each party in the suit of their respective shares.

In the meanwhile, the male legal heirs of the deceased Kabalipillai approached the ASO, Tiruvannamalai and wrongly obtained ryotwari patta u/s 11(a) of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act 26 of 1948 in favour of Tvl. Muthusamyt and others vide the order of the ASO, Tiruvannamalai in S.R. No.26/1996 dated 13.5.1996. Later, the said ryotwari patta issued in the name of Thiru. Muthusamy and others have been cancelled by setting aside the orders of the ASO, Tiruvannamalai dated 13.5.1996 vide the order of the Special Commissioner and Commissioner of Land Administration dated 17.9.1997.

While being so, Tvl. Muthusamy and others had sold the subject properties through General Power of Attorney (GPOA) to Tvl. P.I. Mohammed Kutty and 5 others by executing the 13 sale deeds document Nos. 406 to 412 of 1997 dated 3.3.1997 and Nos.631 to 636 of 1997 dated 24.3.1997. These sale deeds were executed through GPOA during the pendency of the partition suit bearing in (Old O.S.No. 81 of 1994) O.S.No. 209 of 2004 on the file of DMC, Chengalpattu and the same are null and void as per the Section 52 of the Transfer of Property Act. Though there were several legal heirs of the deceased Kabalipillai were present, Tvl. P.I. Mohammed Kutty @ Mamooty and others had purchased the subject properties from Muthusamy and others only leaving the remaining legal heirs of the deceased Kabalipillai and hence, the said sale deeds were not valid which are null and void. Later, the above sale deeds executed in favour of Tvl. P.I. Mohammed Kutty and others were cancelled on 6.5.1998 by way of cancellation of sale deed executed in document Nos. 996 to 1008 of 1998. Challenging the above said cancellation of the sale deeds, **the suits in O.S.Nos. 302 to 314 of 2010 were filed by Tvl. P.I. Mohammed Kutty and others before the Sub Court, Chengalpattu and the same are pending.**

Meanwhile, challenging the Decree and Judgment dated 10.2.2005 in the partition suit in O.S.No. 209 of 2004, Thiru. Mohammed Kutty and others filed a **suit bearing in O.S.No. 7 of 2008 and the same is also now pending before the Sub Court, Chengalpattu.**

Another rival claimant one Thiru. Ravi (who is Grandson of Tmt. Govindammal i.e. one of the legal heirs of Late Kabalipillai) on behalf of 28 persons as if the Principals were empowered him through GPOA bearing Document Nos. 427/05, 428/205, 838/06 & 2674/05 and had executed a sale agreement dated 6.11.2006 to and in favour of Thiru. R. Gananaprakasam for the sale of 4/7th undivided shares of the subject property and likewise, the said Ravi on behalf of 10 persons as if the Principals were empowered him through GPOA and also executed another sale agreement dated 12.12.2007 in favour of Thiru. Radhakrishnan for the sale of 3/7th undivided share of the subject property. Against the said two sale agreements, the suits in O.S.No. 488 of 2007 and O.S.No. 137 of 2008 were filed and the same were decreed on 6.11.2007 and 6.1.2009 respectively without the knowledge of the other legal heirs of the deceased Kabalipillai. However, based on the above said two respective Decrees, two sale deeds have been executed bearing Document No. 4752 of 2008 dated 26.3.2008 in favour of Thiru. Gnanaprakasam and document No. 6504 of 2010 dated 23.4.2010 in favour of Thiru. Radhakrishnan. Against the above said two sale deed documents, all the legal heirs of the deceased Kabalipillai have filed a suit in O.S.No. 263/2012 before the DMC, Chengalpattu with a prayer to declare the above sale deeds as null and void. Now, the above **suit bearing in O.S.No. 263 of 2012 has been transferred to the Additional District Court, Chengalpattu and the same is pending before the above said Court.**

Hence, the District Collector, Chengalpattu is hereby directed to instruct the Tahsildar, Thiruporur to file an impleading petition as party in the following original suits filed in (i) **O.S.Nos. 302 to 314 of 2010 before the Sub Court, Chengalpattu**, (ii) **O.S.No. 7 of 2008 before the Sub Court, Chengalpattu** and (iii) **O.S.No. 263 of 2012 before the Additional District Court, Chengalpattu** and defend these cases in the interests of the Government and also safeguard the Government lands involved in these suits.

Assigned lands involved in respect of S.No.41:

During the years 1965 to 1970, there is a Special Scheme implemented by the Government for production of food crops and accordingly, the Government lands yielding least productivity were assigned in favour of landless poor and servicing personnel in Army on free of cost. On this basis, the land assignment was granted in respect of certain portion lands in S.No. 41/3 by imposing certain assignment conditions and among them, few of the important conditions are: -

- i. *That the land should not be alienated to any one by mortgage gift or sale or otherwise*
- ii. *That the land should be used for only for cultivation of food crops*
- iii. *That in the event of the infringement of or failure to observe any of the conditions mentioned above assignee shall pay to the Government such compensation determined by the Collector of the District for any loss or damage caused by such infringement of failure on his part. The Government shall also be at the liberty to cancel the assignment and remitter on the land and the whole shall there upon rest absolutely in the Government in that the case the Assignee shall not be entitled to any compensation whatever.*

On the case of hand, it is seen from the report of the District Collector that most of the assignees had violated the above assignment conditions and these assigned lands are kept as waste for the past many years and not brought under cultivation. Thus, the said order of assignments is null and void and the same is laible for cancellation.

Lands assigned in respect of S.No. 41/9 & 41/15 and the same was restored in favour of the Assignee by the CLA and the Government:-

During enquiry held on 21.9.2023, it is brought to the notice of this Forum that as per G.O.Ms.No. 1750, Revenue dated 13.5.1963, the Tahsildar, Chengalpattu vide his proceedings D.C.No. 112/78/B2 dated 8.10.1969 assigned 5.00 acres of lands in S.No. 41/9 at Karunguzhipallam village on free of cost in favour of Major G.S.Ahmed, Serving Army Officer. It is further stated that after 15 to 20 years, Army personnel even while continuing in the army services came to know that the patta issued in his favour was cancelled for reasons unknown to him, sent an appeal to the Commissioner of Land Administration and who by his order No. F1/70123/92 dated 4.6.1993 had passed an order for restoration of the patta in favour of Major G.S. Ahmed and based on this order, new patta no. 234 was assigned in favour of the said Army personnel and necessary entries with all the details were made in the adangal for the said land. After that the said Major G.S. Ahmed had sold the entire extent 5.00 acres to Thiru. A.L. Subash and Thiru. B.S. Ahmed (the present petitioners herein) each of them for an extent of 2.50 acres vide sale deed Document Nos.2259 of 1999 dated 24.11.1999 and 1085 of 1999 dated 24.11.1999 respectiely.

The District Collector has stated that the interested person Thiru. Selvakumar S/o. Vedhavathi Kumaravelu appeared for enquiry and has stated that on the revision petitioner filed before the Government against the cancellation of assignment granted in S.No. 41/15 in favour of his father late Thiru. Vedhavathi Kumaravelu and after due enquiry, the Government in their order in G.O.Ms.613, Revenue dated 2.5.1989 ordered to restore the assigned lands in favour of his father's name and thereafter, the Tahsildar, Chengalpattu in his order No. 4650/89 dated 13.7.1989 had issued the D-Form –Land Assignment patta in favour of Thiru. Vedhavathi Kumravelu. The District Collector has stated that it can be seen from the Adangals upto the year 2017, the lands were brought under cultivation. As on

the date, the entry in the Computerized "A" Register was blocked and hence, the interested person who is the legal heir of the above said assignee requested to remove the block entry in the computerized "A" Register and to issue patta in his favour.

Conclusion:

Overall, the District Collector, Chengalpattu has stated that the claims of the present petitioners / interested persons for the subject lands in S.No. 13,14, 15,16, 17,19, 20,21, 23,24, 25,26, 27,28, 29,30/1,30/5, 31,32, 33,34, 37,38, 39,40 and 41 (Totally 25 survey numbers) at Karunguzhipallam village of Thiruporur Taluk, Chengalpattu District were examined with reference to the connected Revenue Records and found that as per OSR "A" Register, the suit lands are originally classified as "Sarkar Poramboke" and after that as per RSR "A" Register the classification of these lands were settled and treated as "Government Poramboke-Kazhuveli" respectively and that subsequently these lands were purchased by the interested persons/present petitioners without having valid documents and no linkage documents to prove their title towards their claim. The Court's auctioning of Government Poramboke lands is a peculiar occurrence. It appears that the wrongdoers meticulously and deceitfully forged documents in order to seize the valuable Government lands. Moreover, the present petitioners did not produce the original High Court's order in which the purported pattadhars one Thiru. Suburaya Kottradiar was declared as insolvent - debtor and the original documents pertaining to the said Subburaya Kottradiar was said to have executed a mortgage deed in favour of Thiru. C. Cunniah and who in turn, assigned the mortgage right in favour of Anandalwar and thereafter, by Anandalwar to Thiru. Sirur. As per the doctrine of "Caveat Emptor" (let the buyer beware) the onus of checking the veracity, legality and encumbrances on the land to be purchased always lies with the purchaser only.

Further, it is informed that the petitioners/interested parties herein have purchased the subject matter of property in question from the vendors who lacked their title. If the petitioners/interested parties have any grievance about the land not being clear in title, it is solely due to them not following the directions 'Caveat Emptor' and due to the due diligence and verification of the title and status of the land prior to purchase. Even at this juncture, the petitioners/interested parties are free to proceed against the vendors in any manner known to law and make good their loss. Thus, the claims of the present petitioners/interested persons covered in S.Nos. 13,14, 15,16, 17,19, 20,21, 23,24, 25,26, 27,28, 29,30/1,30/5, 31,32, 33,34, 37,38, 39,40 and 41 (Totally 25 survey numbers) at Karunguzhipallam village of Thiruporur Taluk, Chengalpattu District deserve no consideration and the same is hereby rejected as devoid of merits.

S NAGARAJAN

Commissioner of Land Administration

To

Sl.No.	Name and Address
For Survey No. 13	
1.	<p>Chandra Sekhar Putha, S/o. Venkatesa Seshiah Putha, Old No. 6 New No.36, Thiru Veedhi Amman Koil Street, Valmiki Nagar, Thiruvanmiyur, Chennai 603 041. (By RPAD) (Cell: 9444322468)</p>
2.	<p>Shaik Khaleel Baig, S/o Shaik Rahim Baig, 37A Balaji Nagar, 2nd Cross Street, Gerugambakkam, Chennai – 602 101. (By RPAD) (Cell: 9944911983)</p>
3.	<p>V.J. Srinivasasn, S/o V.M. Jayaraman, 3A Flat 4 & 5, Swadesh Building, RNK Avenue, Rajakilpakkam, Chennai 600 073. (By RPAD)</p>
4.	<p>Pramod Kumar, IPS, S/o. CP. Singh, G-63, AIS Housing Complex, Virugambakkam, Chennai – 600 092. (By RPAD) (Cell: 9884120172)</p>
5.	<p>S. Sridharan, 18/3/K, (CDS), Chennai Pattinam Apartments, Ammapettai, Thiruporur Taluk,</p>

	Chengalpattu District. Pin 603 108. (By RPAD) (Cell: 9443525683)
6.	S. Banumathi, D/o, P.Janakiraman, 36/105, Gowdia Madam Salai, Royapettah, Chennai – 600 014. (By RPAD) (Cell: 9791137177)
7.	P.Muthuselvan, S/o. M.Palaniappan, Flat No. 104, Tower 11, Sky City, Adayalam Pattu, Vanagaram, Chennai 600 095. (By RPAD) (Cell: 9500017619) Geetha (Friend) (Cell: 9500017923)
8.	P.C.Balakrishnan, S/o. Chidambaram, Villa No. 13 ISHA MIA Villas, Dr. Abdul Kalam Road, Pudupakkam, Chennai – 603 103. (By RPAD) (Cell: 9940010373, 9500017923)
For Survey No. 14	
1.	Mrs. Ophilia Ustine, 3/350, 3rd Cross Street, AGS Colony Beach Lay out, Kottivakkam, Chennai -4. (By RPAD) (Cell: 9444409182)
2.	S.Bhuvanewari,

	W/o. Krishnan, 95/3, Raw Garden, Thaiyur Village, Kelambakkam – 603 103. (By RPAD) (Cell: 9344490342, 9962885769)		
3.	R.Maragatham, W/o. Ramanchandran, 3/748, Pillayar Koil Street, Mettukuppam, Chennai 600 097. (By RPAD) (Cell: 9840848090)		
For Survey No. 15			
1.	<table border="1"> <tr> <td>Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)</td> <td>Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)</td> </tr> </table>	Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)
Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)		
For Survey No. 16			
1.	U.Mahalakshmi, W/o. Dr.T.Udayakumar, 8A, 20th Street, Venkateswara Nagar, Kottivakkam, ECR,		

	Chennai – 600 041. (By RPAD) (Cell: 9841011451)
For Survey No. 17	
1.	M.Rajalakshmi, W/o. Manoharan, 29/33, North Matha Koil Street, P.S.G. Flat, Sri Nagar Colony, Saidapet, Chennai 600 015. (By RPAD) (Cell: 9444001776)
2.	R.Lathamani, W/o. Rajkumar, 9, NNo 17, 2nd Lingam Street, CIT Colony, Mylapore, Chennai 600 004. (Cell:9884415279) (By RPAD)
3.	Vijayakumar, S/o. Shanmugam, C5, Appu Nest, 13/9.10,11 Appu Street, Mylapore, Chennai - 600 004. (Cell: 9884393056)(By RPAD)
4.	Marry Dominic @ Santhana Mary Dominic, No. 56, Kuruvappa Mesthri Street, Aynawaram, Chennai – 600 023. (By RPAD)(Cell: 9841095351)
5.	Mrs. Hema Srinivasan,

	<p>W/o. Late. Srinivasan, No. 1, 2nd Street, Dr. R.K.Salai, Mylapore, Chennai – 600 004. Chennai – 600 130. (By RPAD).</p>	
6.	<p>Tmt.Uma Sivan, W/o. S.Thanka Sivan, No. 45/15, Mayor Sivashanmugam salai, Nungambakkam, Chennai – 600 034. (Cell: 9444054797) (By RPAD)</p>	
7.	<p>Thiru.R.Sivaguru Pandian, S/o. Late Mr.K.Raviraja pandiyan, B2/5, 1st Avenue, Tiruvalluvar Nagar Extension, Thiruvanmiyur, Chennai 600 041. (By RPAD)</p>	<p>Through their Counsel: Thiru. S. Thanka Sivam Advocate, (Cell: 9444054777)</p>
8.	<p>Tmt. M.Pankajam, W/o. V.G. Thyagarajan, 18/7, Skyline Apartments, Kamaraj Avenue, First Street, Adyar, Chennai – 600 020. (By RPAD) (Cell: 98405 89872)</p>	
9.	<p>Thiru.V.Ayyadurai, Senior Advocate, S/o. Venkatachala Udayar, No.32/24B, 4th Street, Balaji Nagar, Royapettah, Chennai 600 014. (By RPAD) (Cell: 9940070031, 9884273624)</p>	<p>Through their Counsel: A.Duraieswar, (Cell: 9884273624)</p>

10.	<p>Tmt. Geethalakshmi, D/o. P.S. Mani, 17/9, Second Link Street, CIT Colony, Mylapore, Chennai – 600 004. (By RPAD) (Cell: 98408 20309)</p>	
11.	<p>Thiru. M. Palani, S/o. P.S.Mani, Flat No. 3D, Dev Apartment, 78/42, Third Main Road, Gandhi Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 98400 98441)</p>	
12.	<p>Thiru. S.Sumithran, E-202, Ananya's Nana Nai Homes, Phase -3, Thondamathur, Daliyur, Coimbatore – 641 109. (By RPAD) (Cell: 9444054777)</p>	
13.	<p>Thiru. S. Balaji, S/o. S.Bagalakshmi, New No. 67, Old No, 32, New Street, Mannadi, Chennai – 600 001. (By RPAD) (Cell: 9994155863)</p>	
For Survey No. 19		
1.	<p>Thiru. Saravanan, S/o. K.Sooriyan, No1, 2nd Floor,</p>	<p>Through their Counsel: M/s. Vijayaganesh.S, The law Association, Ground floor,</p>

	Sai Bhavan, Sri Puram, 2nd Street, Ranipettai, Chennai – 14. (By RPAD)	City Civil Court, Buildings, Chennai – 104. (By RPAD) (Cell: 9445011259)
2.	Thiru. R.Ramesh, S/o. R.Rangamani, No.12, Subiksha Arudhra Flat D, Srinivasa Avenue Road, R.A.Puram, Chennai – 600 028. (By RPAD) (Cell: 9445601948)	
3.	Thiru. Rengamani, S/o. L.S.Raghavan (Late), 3/17, T.P. Scheme Road, Akshaya Flat No.4, R.A.Puram, Chennai 600 028. (By RPAD) (Cell:9445601948)	
4.	Tmt. Vidhya, W/o. A. Tamil Selvan, 13, Anthonyar Koil Street, Nedhaji Nagar, 2, Uppalam, Pondicherry – 605 001. (By RPAD) (Cell: 9344589060)	
5.	Thiru. Arockiyathan, S/o. Lourdusamy, 2/71, Mariyamman Koil Back Side, Manampoondi Post, Kandachipuram Taluk, Villupuram – 605 759. (By RPAD) (Cell: 9444785010)	
6.	Tmt. Jeyadevi, W/o. Dhominisaviyoo,	

	No.26, Adhiparasakthi Nagar, Manampoondi Village, Kandachipuram Taluk, Villupuram – 605 759. (By RPAD) (Cell: 9443458841)	
7.	Thiru. Joshva, S/o. Christopher, No. 4/22, Abirami Nagar, Irumbuliyur, Tambaram West – 600 045. (By RPAD) (Cell: 8122003588, 94440 03588)	
8.	Thiru. Sivalingam, S/o. Seemadurai, Old No.2, 5, Rajaji 1st Cross street, West Tambaram, Chengalpattu – 600 045. (By RPAD) (9840210403)	
9.	Thiru. M.R. Ramachandran, S/o. M.R. Ramakrishnan, Residing at 88/179, Vinayaga Nagar, Kutchery Road, Mylapore, Chennai – 600 004. (Cell: 9600077311)	
For Survey No. 20		
1.	Thiru. Narendhra Ghorpade, S/o. Venkatrai Ghorpade, No. 8AB, Abbotsbury, No.74, C.P.Ramasamy Road, Alwarpet, Chennai - 600 018. (By RPAD)	Through their Counsel: M/s. D.Vijay, Arun Anbumani, K. Manikandan & R.A. Senapathi, IV High Court Chambers, High Court Buildings, Chennai – 600 104. (By RPAD) (Cell: 98412 76300,98410 56005)
2.	M/s. Ramgosri Construction (Pvt.) Ltd.,	

	Rep. by its Power Agent, Thiru. R.Srinivasan, No. 8AB, Abbotsbury, No.74, C.P.Ramasamy Road, Alwarpet, Chennai - 600 018. (By RPAD)	
3.	Arun B. Raj, 21, Jagadammbal Street, T.Nagar, Chennai – 17.	Through their Counsel: M/s. D.Vijay, Arun Anbumani, K. Manikandan & R.A. Senapathi, IV High Court Chambers, High Court Buildings, Chennai – 600 104. (By RPAD) (Cell: 98412 76300,98410 56005)
For Survey No. 21		
1.	Tmt. R.Sankari, No. 89, VOC Street, Kamaraj Nagar, New Perungalathur, Chennai – 81. (By RPAD) (Cell: 9710317727)	
2.	Thiru. R. Selvaraju, S/o. Late Mr. K.Ramasamy, New No. 7, Old No. 16, Tenth Street, Shanthi Nagar, Adambakkam, Chennai – 600 088. (By RPAD) (Cell: 9443480200, 9445182105)	
3.	Tmt. Kutty Padmini, W/o. Prabu Napal, Door No. 18A ,1st street, Kamdar Nagar,	

	Nungambakkam, Chennai – 600 034. (By RPAD)
4.	Tmt. Revathy, W/o. Rajesh, Plot No.3/4, S3, Sewetha Paradise, Rajarajeshwari Street, Mugalivakkam, Chennai – 600 125. (By RPAD) (Cell: 7010668900)
5.	Thiru. Rajesh, Plot No.3/4, S3, Sewetha Paradise, Rajarajeshwari Street, Mugalivakkam, Chennai – 600 125. (By RPAD) (Cell: 7010668900)
6.	Thiru.Murali, S/o. Balakrishnan, 44-B10, New 169, Yegavalliamman Koil Street, Thiruvotriyur, Chennai - 600 019. (By RPAD) (Cell: 9884208005)
7.	Fazlur Rahman & Abdul Khaliq, No.3 Sathya Nagar, Vivekanda Main Road, Kolathur, Chennai -99.
For Survey No. 23	
1.	Thiru.Krishnan, Senior Journalist,

	7/1, Ranganathapuram Street, Mylapore, Chennai – 600 004. (By RPAD) (Cell: 9444648708)
2.	Dr.J.Suresh and Tmt. S.Manorathy, 10/2, GA Road, 4th Street, Old Wannarapet, Chennai – 600 021. (By RPAD) (Cell: 9840050022)
3.	Miss.Rakshana Pandla, New No. 9, Venkatraman Street, Raja Annamalai Puram, Chennai – 600 028. (By RPAD) (Cell: 9884099882)
4.	Thiru.A.Sathyamoorthy, S.Mariyammal, No.196/44, Sakthi Illam, Gandhi Road, Velachery, Chennai – 42. (By RPAD) (Cell: 9884959900)
For Survey No. 24,25	
1.	Thiru. Raviraj Pandla, New No. 9, Venkatraman Street, Raja Annamalaipuram, Chennai – 600 028.(By RPAD) (Cell: 9884099882)
For Survey No. 24	
2.	Thiru.Devasagaraj

	<p>S/o. Krishthuvadas, 54/11, Ramasamy Avenue, Vannandurai, Adayar, Chennai 600 020. (By RPAD) (Cell: 98400 74407)</p>
3.	<p>Tmt.Visalakshi Krishnamoorthy, 2202, Mandarina Apartments, No.7, Lock Street, Kotturpuram, Chennai – 600 085. (By RPAD) (Cell: 6374021126, 9444103573)</p>
4.	<p>Thiru.K.Arun, No.24, Light House, Nadukuppam, Pazhaverkadu Post, Ponneri Taluk, Tiruvallur District – 601 205. (By RPAD) (Cell: 9840074407, 7448550563)</p>
5.	<p>Thiru.K. Raja Kulasekaran, 6-A, Purushotham Buildings, 2nd Cross Street, Kasthuribai Nagar, Adayar, Chennai 600 020. (By RPAD) (Cell: 7550254590)</p>
6.	<p>Thiru.Jeevan Sedhu, S/o. Ramanathan, No.3, Murrays Gate Road, B5, Bhimsena Building, Alwarpet, Chennai – 600 018. (By RPAD) (Cell: 9840036645)</p>
7	<p>Thiru Krishnamoorthu</p>

	<p>Thiru.Krishnamoorthy, No.2202, Mandarina Apartments, NO.7, Puttu Street, Kotturpuram, Chennai -85 (By RPAD)</p>
For Survey No. 26	
1.	<p>Thiru.A.V.Anoop, S/o. A.G. Vasavan No.1291-1292, Kambar Colony 18th Main Road, Anna Nagar West, Chennai – 600 040. (By RPAD) (Cell: 9176678195)</p>
2.	<p>Thiru.S.Manikandan, 23, Jaya Nagar, 3rd Street, Perumbakkam, Chennai 600 131. (By RPAD) (9382825002)</p>
3.	<p>Thiru.Dheenadayalan, 3rd Street, Zackaria Colony, Choolaimedu, Chennai – 600 094. (By RPAD) (Cell: 98844 17880)</p>
4.	<p>Tmt. Priya Anoop & Anjali Ravi, No.1291-1292, Kambar Colony 18th Main Road, Anna Nagar West, Chennai – 600 040. (By RPAD) (Cell: 9176678195)</p>
5.	<p>Tmt. Hema Anand W/o. Ananadhan,</p>

	No. 362/A, Thiruvanjiam Apartment, 1st Main Road, 2nd Cross Street, Nadesan Nagar, Virugambakkam, Chennai – 600 092.	
6.	Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)
For Survey No. 27		
1.	Thiru.B.Nandhagopal, S/o. P.Balakrishnan, New No. 74, Old No. 56, 1st Floor, Chinnathambi Street, Kosapet, Chennai 600 012. (By RPAD) (Cell: 9283245476, 7305592814)	
2.	Thiru. R.Anandakumar, New No.6, Krishnama Road, Nungampakkam, Chennai – 34. (Cell: 98410 44059)	
3.	Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216,	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad,

	Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)	Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)
4.	Dr.Mrs. J.Thanka, W/o. N.Paul Vasanthakumar, No. 24A, 2nd Street, Kamaraj Avenue, Adyar, Chennai – 600 020. (By RPAD)	Through their Counsel: M/s. J.S. Kingsley, 229/6, NSC Bose Road, Chennai -600001 (By RPAD) (Cell: 9941775877)
For Survey No. 28		
1.	Thiru.Ramamoorthy, S/o.Subramaniam, No. 18/21, Vengeeswarar Nagar, 2nd Main Road, Vadapalani, Chennai 600 026. (By RPAD) (Cell: 9040398648, 9940398648)	
2.	Thiru.A.V.Anoop, S/o. A.G. Vasavan No.1291-1292, Kambar Colony 18th Main Road, Anna Nagar West, Chennai – 600 040. (By RPAD) (Cell: 9176678195)	
For Survey No. 29		
1.	Thiru.Sanjai,	

	<p>Power Agent of Tmt. Thara Viswanathan W/o. Surendran, Plot No. 131, 2nd Main Road, Pallava Gardens, Zamin Pallavaram, Chennai – 600 117. (By RPAD)</p>	
2.	<p>Tmt.Subashinni Bose, W/o. S.S.Bose, No.4, Bagirathi Street, Sreenivas Avenue, R.A. Puram, Mandaiveli, Chennai 600 028. (By RPAD) (Cell: 9884045036)</p>	
3.	<p>Tmt.Vaijyanthi, W/o. Natarajan, No.4, Bagirathi Street, Sreenivas Avenue, R.A. Puram, Mandaiveli, Chennai 600 028. (By RPAD) (Cell: 98840 45036)</p>	
4.	<p>Assistant General Manager and Case Lead Officer, State Bank of India, No.1112, Raja Plaza, Avinasi Road, Coimbatore – 641 037.(By RPAD)</p>	<p>Through their Counsel: M/s. M.L. Ganesh & S.Arun Kumar, Advocates, at No.66, Additional Law Chambers, High Court Building, Chennai – 104. (By RPAD) (Cell: 9841014667)</p>
5.	<p>Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram,</p>	<p>Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad,</p>

	Chennai – 600 023. (Cell: 98848 90606) (By RPAD)	Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)
For Survey No. 31		
1..	Thiru.Pandurangan, S/o. Ranganathan, No.5/2, Valliammal Road, Vepperi, Chennai 600 007. (By RPAD) (Cell: 9840351251, 9940442230)	
2.	Thiru. Saravanan, No.1,2nd Floor, Sai Bhavan, Sreepuram 2nd Street, Royapettai, Chennai -14. (By RPAD)	
3.	Ilyas K.Baxa, Enterprising Traders, 104, Sembudoss Street, Chennai – 600 001. (By RPAD)	
4.	M.K.Nazeen, DS Max Swantantra Flat, 411, Sacred Heart Road, TC Palya K.R.Puram, Bengaluru – 560036. (Cell: 9902894197)	
5.	Thiru. Akil Saifudin Master,	

	82A, Avvai Nagar Main Road, 6A, Tall Trees, Thiruvanmiyur, Chennai -41, (Cell: 9566144222)
For Survey No. 32	
1.	Thiru.S.Padmanaban, No.82, L – Block, 20th Street, Anna Nagar East, Chennai – 600 102. (By RPAD) (Cell: 9791028083)
2.	Tmt. Sridevi Prasanna, 9/11, 2nd Crescent Park Street, D2, Kavlesh Meru , Gandhi Nagar, Adayar, Chennai 600 020. (By RPAD) (Cell: 9940043115)
3.	Ms.Mithilakumar, C/o. M.D.Venkatakumar, Chitrakoot, Singaravelan 2nd Cross street, Neelankarai, Chennai – 600 041. (By RPAD) (Cell: 98405 40830)
4.	Dr.S.Ilango, Door No. 28, 7th Cross Street, Mahalakshmi Nagar, Adambakkam, Chennai – 600 088. (By RPAD) (Cell:9384685522)
5.	Thiru.T.Narayanan, S/o. Thirupathi,

	<p>Plot No. 367A OV Joseph street, Golden George Nagar, Mogappaire East, Chennai – 600 107. (By RPAD) (Cell: 9381091865)</p>
6.	<p>Thiru.Ganesan, S/o. Late V.Subramaniam, 230, Melakadu, Thoopukadu, Mahilankottai, Thanjavur 614 701. (By RPAD) (Cell: 9842951705)</p>
7.	<p>Thiru.S.Stephen, A.L. 88, 4th Street, 12th Main Road, Anna Nagar, Chennai – 600 040. (By RPAD)</p>
8.	<p>Tmt.R.Jothimani, 47, Rajaji Street, Madhavaram, Chennai 600 060. (By RPAD) (Cell: 94441 56901)</p>
9.	<p>Tmt.Karthika, L-Block, Door No. 118, 17th Street, Anna Nagar East, Chennai 600 102. (By RPAD) (Cell: 9444252377)</p>
10.	<p>Tmt.Vetriselvi, W/o. Kalyana Sundaram, 7/53, Mogappair West, Chennai – 600 037. (By RPAD) (Cell: 9840893816)</p>

11.	<p>Tmt.K.R.Jayanthi, W/o. G.Madhavan, No. 32A/84, SRP Koil Street North, TVK Nagar, Chennai – 600 082. (By RPAD) (Cell: 9884207058)</p>
12.	<p>Dr.G.Madhavan, No.32A, New Door No. 84 SRP Koil Street North, Thiru.Vee.Ka Nagar, Chennai – 600 082. (By RPAD)</p>
13.	<p>D.Kalavathy 4,TSD Nagar, 1st Main Road, Arumbakkam, Chennai – 600 106. (By RPAD)</p>
14.	<p>Naren Radhakrishnan, C/o. Tmt. Radhika Radhakrishnan No. 2/773, 1st Street Kazura Gardens, Neelankarai Chennai – 600 041. (By RPAD) (Cell: 9841962200)</p>
15.	<p>Thiru.S.Vaithyanathan, B2, Saastha Plots, 7, 61st Street, Ashok Nagar, Chennai – 600 083. (By RPAD) (Cell: 8939123987)</p>
16.	<p>Thiru.K.R. Gauthaman, Door No. 5/152, Gopal Street,</p>

	Madipakkam, Chennai – 600 091. (By RPAD) (Cell: 9952013134)
17.	Tmt.Chitra, W/o. S.T.Srinivasagopalan, Sri Oppili Nivas, 7/13, Brindavan Street, Extension Ist Cross Street, West Mambalam, Chennai – 600 033. (By RPAD) (Cell: 9380107081)
18	Tmt.Ushamani, W/o. S.R.Jayakumar, 5/2/1, Muthamman Koil Street, Aynavaram, Chennai 600 023. (By RPAD) (Cell: 9884015131)
19.	Thiru.Sadhick Basha, S/o. Mohammed Hussain, No. 1/B, Pasha Mansion, Cathedral Garden Road, Nungambakkam, Chennai 600034. (By RPAD)
20.	Thiru. Hephziban Stephen, W/o. S.Stephen, AL, 88, 4th Street, 12th Main Road, Anna Nagar, Chennai – 600 040. (By RPAD) (Cell: 9840998120)
21.	Thiru. Panasaiya, S/o. Janaki Ramaiah, No.44, Chandra Nagar, Chrompet, Chennai – 600 044. (By RPAD)
22.	Thiru. A.Mohan,

	<p>S/o. B.Adikesavalu, No. 303, 'N' Block, 26th Street, Anna Nagar East, Chennai – 600 102. (Cell: 9840542389, 9600001357)</p>	
23.	<p>Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD)</p>	<p>Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)</p>

For Survey No. 33

1.	<p>Thiru.K.Dhanasekaran No.32, 7th Cross Street, Balaji Nagar, Kolathur, Chennai – 600 099. (By RPAD) (Cell: 9381023181)</p>
2.	<p>Tmt.Yamunadevi W/o. Ethirajalu 1/8 EVR Street, Loco II Scheme Road, GKM Colony, Perambur Loco Works,</p>

	Chennai – 600 082. (By RPAD)
3.	Thiru.Kumar S/o. Thukkaram No.10, 1st Street, Sriram Nagar, Vyasarpadi, Chennai – 600 039. (By RPAD) (Cell: 9176663233)
4.	Thiru.M.S.Saleem S/o. Shagul Ameen AL III 3rd Street, Shanthi Colony, Annanagar, Chennai – 40. (By RPAD) (Cell: 9444412288)
5.	Radha Parasuraman, No.99/1, New 28/1, 30th Cross street, Besant Nagar, Chennai – 600 090.
6.	Mrs. Vahitha Banu, AL III, 3rd Street, 11th Main Road, Shanthi Colony, Anna Nagar, Chennai – 40. (By RPAD) (Cell: 9444412288)

7.	Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)
For Survey No. 34		
1.	Tmt. Vahitha Banu W/o. Saleem AL III 3rd Street, 11th Main Road, Shanthi Colony, Annanagar, Chennai – 40 (By RPAD) (Cell: 9444412288)	
2.	Malligavathy Educational Trust, Trust Rep. by Thiru. N.S.Ramesh, No. 216, Ayyanpuram, Chennai – 600 023. (Cell: 98848 90606) (By RPAD	Through their Counsel: G.Gnanasundaram, S.Roshan, B. Pachaiyappan, K.N. Arun Prasad, Flat GE, Ground Floor, Dev Eswari Apartments, 18(Old No.11-12) 8th Cross Street, Shastri Nagar, Adyar, Chennai – 600 020. (By RPAD) (Cell: 9865282114)

3.	K.Dhanasekaran,
For Survey No. 37	
1.	Thiru.A.V.Anoop, S/o. A.G. Vasavan No.1291-1292, Kambar Colony 18th Main Road, Anna Nagar West, Chennai – 600 040. (By RPAD) (Cell: 9176678195)
2.	Priya Anoop W/o. Mr.A.V.Anoop, No.1291-1292, Kambar Colony 18th Main Road, Anna Nagar West, Chennai – 600 040. (By RPAD)
3.	Anjali Ravi, W/o. Dr. Ravi, B-4, Sneham Apartments, No. 3, Park Road, Anna Nagar West, Chennai – 600 101.
For Survey No. 38	
1.	Thiru.N.Muthu kumarasamy S/o. Natesan (Late) Lenin Nagar 1st Street, 2/315, Alandur, Thiruporur Taluk,

	Chengalpattu District. (By RPAD) (Cell: 9840910668)
2.	Thiru. Vinod Kumar Doshi, No. 05, Perumal Koil Garden Street, Off Anna Pillai Street, Sowcarpet, Chennai – 600 001. (By RPAD) (Cell: 944447574)
For Survey No. 39	
1.	Abbas F.Ragib, NEMAT Engineering P(Ltd.,) No.15, Vannier street, Chennai – 600 001. (By RPAD)
2.	TD. Prathaban, CCC 023 II Floor, DLF Buildings, Commanders Court, Ethiraj Salai, Chennai – 8.
For Survey No. 40	
1.	Thiru.S.K.Mohamed Jaffar S/o. SKS.Kamaldeen 54, 4th Main Road, Mint Modern City, Old Washermenpet, Chennai – 21. (By RPAD) (Cell: 730566732)

2.	<p>Tmt.S.Sivakami W/o. V.K.Sampathkumar New No.28, Old No.17/2 Rajagopal Street, Saidapet West, Chennai – 15. (By RPAD) (Cell: 7904631084)</p>
For Survey No. 41	
1.	<p>Tmt.Pushpakavoor W/o. Sardharmal Pakodiya No.56, Taylor's Road, Rems Road, Kilpauk, Chennai – 10. (By RPAD) (Cell: 9940023000)</p>
2.	<p>Thiru.D.S.S.Mannan S/o. D.S.S.Mani No.2/46, Viswanathapuram Main Road, 2nd Floor, Kodambakkam, Chennai – 600 024. (By RPAD)</p>
3.	<p>Tmt.Kowsalya S/o. Durairaj No.48, Old Mahabalipuram Road, Thiruporur – 603110. (By RPAD) (Cell: 9884438227)</p>
4.	<p>Thiru.Sagapudhin S/o. Kathar Meeran 2/64, Rajiv Gandhi Street, Panrutti,</p>

	<p>Vandalur – Walajabad Raod, Sriperumbudur Taluk, Kancheepuram District – 631604. (By RPAD) (Cell: 6382761188)</p>
5.	<p>Thiru.Henry Jebaraj S/o. T.Asar Ratinadoss 33/16, Third Trust Cross Street, Mandavellipakkam, Chennai -28. (By RPAD) (Cell: 9841020709)</p>
6.	<p>Thiru.Babu & Tmt. Sandhiya No.60/140, Malligaipoo Colony, Vyasarpadi, Chennai – 39. (By RPAD) (Cell: 9884921990)</p>
7.	<p>Thiru.Subash Chander Singal 1030, T.H.Road, Horizon Apartments, S-Block, Flat No.16 & 18, Kaladipet, Chennai – 600 019. (By RPAD) (Cell: 9444038420)</p>
8.	<p>Tmt.Pottiammal W/o. Jeyachandran No.24, Veerabagu Nagar, IGM Church Road, Nandivaram, Guduvancheri, Kancheepuram – 603202. (By RPAD)</p>
9.	<p>Thiru.Gowtham Chand Pakodiya No.56, Taylor's Road,</p>

	<p>Rems Road, Kilpauk, Chennai – 10. (By RPAD) (Cell: 9884634355)</p>
10.	<p>Tmt.Lalitha Jain W/o. Bijay Kumar Jain B-Block 101 Prince Manor Apartment, 114 Pursawakkam High Road, Kilpauk, Chennai – 600 010. (By RPAD) (Cell: 7397489319)</p>
11.	<p>Thiru.Bijay Kumar Jain B-Block 101 Prince Manor Apartment, 114 Pursawakkam High Road, Kilpauk, Chennai – 600 010. (By RPAD) (Cell: 7397489319)</p>
12.	<p>Thiru.Suresh Shah S/o. Sri Veerchand Shan No.31/20, I Floor, Brethapet Road, Vepery, Chennai – 600 007. (By RPAD) (Cell: 9488176128)</p>
13.	<p>Thiru.R.Gnanaprakasam S/o. Raju & Tmt.Seethalakshmi W/o. R.Radhakrishnan No.16/19, 1st Street, Eganthipuram, Aynavaram, Chennai – 600 023.</p>

	(By RPAD) (Cell: 9444137857)
14.	Thiru.Mohanraj S/o. Durairaj On behalf of Thiru.K.A.Sabapathi Mudaliar No.9, Gangai Street, Kalashethra Colony, Besant Nagar, Chennai – 600 090. (By RPAD) (Cell: 9444039949)
15.	Thiru.Paranthaman S/o. Lakshman Palaiyathamman Koil Street, Pandithamedu, Paiyanur, Thiruporur, Chengalpattu District – 603104. (By RPAD) (Cell: 9843478500)
16.	Thiru.R. Sivanantham S/o. Renugounder No.32, Vadakku Mada Veedhi, Arani, Tiruvannamalai District – 632301. (By RPAD) (Cell: 9381067534)
17.	Thiru.S.Babu S/o. Sivanantham No.32, Vadakku Mada Veedhi, Arani, Tiruvannamalai District. (By RPAD)
18.	Tmt.R.Devasena

	W/o. (Late) B.M.Rajasekar No.17/35, Ayyalu Street, Vetrinagar, Chennai – 82. (By RPAD)	
19.	Thiru.Dr.K.Selvakumar S/o. Mrs.Vedhavathi Kumaravelu No.111, Defense colony, Ekkattuthangal, Chennai – 600 032. (By RPAD) (9840043641)	
20.	M.Chandrasekaran S/o.K.Muthusamy No. 1134, Block No. 51, Sathyamoorthy Nagar, Vysarpadi, Chennai – 13. (By RPAD)	
21.	Tmt.N.Vatchala & U.Kasthuri, N.Jayaganthi, J.Janagi, K.Kamatchi, R.Jagadheeswari, N. Parthasarathi Irusappa Mastri Street, 2nd Lane, New Washermenpet, Chennai – 600 081. (By RPAD)	
22.	D.Sami , No. 13, 19th Street, JB Estate, Avadi, Chennai – 54. (By RPAD) (Cell: 7010347734)	Through their Counsel: (Parties respectively addressed in this office Hearing Notice K2/K1/1860/2017, dated 08.9.2023 as 34 to 47 & 50) T.Pazhanivel, Advocate, Alisons Complex, 4th Floor, No.17,

	Sunkuram Street, Parrys, Chennai – 600 001 (Cell: 99406 44901)
23.	Tmt.K.Logeshwari, No. 11, Velmurugan Street, Sankadasai 1st Cross Street, Vinayakapuram, Chennai – 66. (By RPAD) (Cell: 9551447795)
24.	P.Ezhilarasu S/o.Dhanaparvathi, P.Babukalanithi S/o.Dhanaparvathi No. 50, Karumariamman Koil Street, MG Nagar, Tharamani, Chennai – 113. (By RPAD)
25.	C.Ravi, C.Ragu, C.Arulananthan, C.Ramachandiran, C.Vijayalakshmi C.Datchayani, No.85, Pajanai Koil Street, Mambakkam, Chennai – 48. (By RPAD) (Cell: 9790867936)
26.	J.Bhuvaneshkumar, A.Hemamalini, J.Baskar No.1, Ramalinga Nagar 1st Street, Puthagaram, Vinayakapuram, Chennai – 99. (By RPAD) (Cell: 6381248662)
27.	N.Jayaraman (Cell: 7358312488)

	26, A - Block, Sathyavani Muthu Nagar, Otteri, Chennai - 12.
28.	K.Flawarence, K.Sasikala, B.Vidhya, K.Prem Kumar 7, S.S.Nagar, Korukkarthangal Main Road, Pajanai Koil Street, Kattankulathur, Pin – 603203 (Cell: 9941874371)
29.	V.Mohan & V.Saraswathi, V.Kumaresan, V.Rajesh, V.Kumari Vada Nemili, Perur Post, Kannapiran Koil Street, Kancheepuram. (By RPAD) (Cell: 9789830605)
30.	T.Vijayalakshmi, W/o.D.Thamaiyan T.Sakthivel S/o.Thamaiyan , No. 15/266, East Mandaiveli Street, Kalitheerthan Kuppam, Mathagiripattu, Puducherry- 605 107. (By RPAD) (Cell: 6382520024)
31.	Tmt.C.Muthulakshmi C.Sathish kumar C.Prasanna kumar C.Sendhil A.Sridevi

	(Covered in W.P.No. 28474 of 2012 impleaded as Respondent)
32.	<p>L.Palani</p> <p>L.Nethunagopal</p> <p>N.Vatsala</p> <p>L.Dhatchayani</p> <p>J.Janaki,</p> <p>Block No. A4, Sainath Foundation Melody,</p> <p>3rd Cross Street, Ambal Nagar Extension,</p> <p>Sai Ganapathy Nagar, Pallikaranai, Chennai – 100.</p> <p>(By RPAD) (Cell: 9884297151)</p>
33.	<p>Tmt.M.Parimala & K.P.Pandiyarasu,</p> <p>K.P.Vijayakumar, J.Sarala,</p> <p>K.Shanthi, K.Lavanya, K.Prabu,</p> <p>No. 35, A – Block,</p> <p>Thanikasalam Nagar East,</p> <p>Poonamallee, Chennai – 110.</p> <p>(By RPAD) (Cell: 9445756770)</p>
34.	<p>Suresh Ushah</p> <p>(Covered in W.P.No. 28474 of 2012 impleaded as Respondent)</p>
35.	<p>Mohammed Yemani,</p> <p>119, 4th Main Road,</p> <p>Gandhi Nagar, Adyar, Chennai – 20. (By RPAD)</p>
36.	<p>M.Ravi & others</p> <p>S.Parimala</p> <p>S.Nirmala</p> <p>Jayamala</p> <p>52, Kannabiran koil street,</p>

	Vada Nemeli, Chengalpattu District. (By RPAD)(Cell: 7358788557)
37.	Harimahesh, No.7, Law Chamber, High Court Buildings, Chennai – 104. (By RPAD)
38.	Tmt.Seethalakshmi, W/o. Late. Radhakrishnan, No.19, 1st Street, Ragangipuram, Ayyanavaram, Chennai – 600 023. (By RPAD) (Cell: 9444137857)
39.	Thiru.Jaganathan, S/o. Gurusamy, No.1/75, AVIT College, Paiyanur Village, Thiruporur Taluk, Chengalpattu District. (By RPAD) (Cell: 9789942001)
40.	Thiru. Fakurddin H. Bagat, S/o. Huseny H. Bagat, No. 3, Sivasankar Street, Kilapauk, Chennai - 600 010. (By RPAD) (Cell: 9791035586)
41.	M.Joseph, S/o P.A.Muthupillai, No. 32, 42 Jagajeevanram Street, GKM Colony, Chennai – 600 052. (By RPAD)(Cell: 9176287107)
42.	K.Sasikala

	11/27, Mareesan 1st street, Alandur, Chennai - 600 016. (By RPAD)(Cell:9841752352)
43.	K.K. Palraj , K.Subramaniyan, No.3/4, 4th street, Vishnu nagr, New perungalatur, Chennai – 600 063. (By RPAD)(Cell: 9444944623)
44.	Thiru. B.Durairaj, S/o K.K.Palraj, Old Mahapalipuram Road, No. 111, 112 Karunkuzhipallam, Alathur Panchayat. (By RPAD) (Cell: 9444944623)
45.	Thiru. B.S.Ahmed, 422, 26 street, V sector, K.K.Nagar, Chennai – 600 078. (By RPAD) (Cell: 9884074355)
46.	Thiru. A.L.Subash, C-95, 18th Avenue, Ashok Nagar, Chennai – 600 083. (By RPAD)(Cell: 9841281678)

Copy to:

1. The Director of Survey and Settlement,
Survey House, Chepauk, Chennai – 600 005.

2. The District Collector,
Chengalpattu District.

3. The Tahsildar,
Tiruporur Taluk, Chengalpattu District.

(It is requested to serve this order copy to the Respondent, Thiru. Dhanasekaran (in S.No.34) and N.Jayaraman, Tmt.C.Muthulakshmi & others, Suresh Ushah (in S.No.41) and send the acknowledgement copy to this office immediately without fail.)

4. PC to Commissioner of Land Administration