

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21931 of 2015

&

M.P.Nos.1 & 2 of 2015

Panakkaran Nagar Anna Makkal
Kudiyiruppor Nala Sangam
(Reg. No.301/2013)
Rep. By its President M.Padmanaban
No.3850/3860, Panakaran Nagar
Kodungaiyur
Chennai - 600 118

... Petitioner

Vs.

1.The Secretary to Government
Revenue Department
Fort St. George
Chennai - 600 009

2.The Collector of Chennai
"Singaravelar Building"
Rajaji Salai
Chennai - 600 001

3.The Tahsildar
Fort-Thondiarpeta Taluk
Chennai - 600 003

4.The Commissioner
Corporation of Chennai
Ripon Building
Chennai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 4 to pass orders to assign the house sites to the members of the petitioner's association in Survey No.3850 and 3860 of Thondiarpeta Village, Chennai District in No.1, Ezhil Nagar, 4th Street, Panakkaran Nagar, Kodungaiyur and issue patta to the petitioner based upon the representation made by the members of the petitioner's association on 03.12.2013.

For Petitioner : Mr.V.Yamuna Devi

For Respondents : Mr.M.Dig Vijaya Pandian
for R1 to R3
Mr.P.V.Selvakumar for R4

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The members of the petitioner association would state that the land in S.No.3850 and 3860 of Thondiarpet Village, Chennai City are classified as Government Poramboke and during early 1970, the forefathers of the petitioners had occupied / encroached the land and they all belong to Schedule Caste / Schedule Tribe Communities. The petitioner would further state that from 1978, they have been repeatedly submitting representations seeking assignment of the lands with consequential issuance of patta and according to them, on 07.02.1978, the Collector of Chennai District also made a positive recommendation for regularization of the encroachment. The petitioner would further state that since the third respondent took steps to dispossess them, they filed W.P.No.34534 of 2002 and this Court, vide order dated 06.09.2002, granted an order of status-quo and subsequently, the writ petition has been disposed of.

3. Since the grievance of the petitioner Association has not been addressed, they have submitted a representation on 03.12.2013 once again praying for assignment of land and issuance of patta and in the interregnum not to dispossess the members of the petitioner association by demolishing the superstructure put up by them. Since no response is forthcoming, they came forward to file this writ petition.

4. Heard Mr.Dig Vijay Pandian, learned counsel appearing for respondents 1 to 3 and Mr.P.V.Selvakumar, the learned counsel appearing for the fourth respondent.

5. This Court, without going into the merits of the claim projected by the petitioner association, permits the members of the petitioner association to submit one more representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the said representation, is directed to consider the same on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and till then, both parties shall maintain status-quo as exits today.

6. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gpa

To

1.The Secretary to Government
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Chennai - 600 009

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4.The Commissioner
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Chennai

+1cc to Mr.S.Mohanavadivelan, Advocate, S.R.No.37488
+1cc to the Government Pleader, S.R.No.37423

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RJ(CO)
CA(06/08/2015)

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