

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.28138 of 2014

Bharat Rajiv Gandhi Podunala Sangam
rep.by B.Asokan, President
No.39, 2nd Cross Street
Bharat Rajiv Gandhi Nagar
Kolathur, Chennai -600 099

.. Petitioner

versus

1. The Principal Secretary / Commissioner
Land Administrative Department
Government of Tamil Nadu
Chennai - 600 005

2. The District Collector of Chennai
Rajaji Salai, Chennai -600 001

3. The Tahsildar, Perambur
/Purasawakkam Taluk
Ayanavaram, Chennai -600 023

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd and 3rd respondents for the issue of patta to the members of the petitioner's sangam representation dated 05.9.2014 and dispose of the same.

For Petitioner : Mr.I.V.S.Manian

For Respondents: Mr.M.L.Mahendran
Government Advocate

ORDER

Heard Mr.I.V.S. Manian, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondents and perused the materials placed on record.

2. The petitioners seeks for a direction upon the respondents to consider their representation dated 05.9.2014 and to issue patta to them.

3. The petitioners are stated to be the Members of Bharat Rajiv Gandhi Podunala Sangam. The petitioners have encroached the Government Poramboke land (Ari-Ulvai) in Survey No.13 and 14 of Kolathur Village by constructing houses in their respective house sites. According to the petitioners, they are paying all the taxes such as Water, House, Electricity charges and Urban Land Tax for the past 32 years to the authorities with the permission of the third respondent. According to the petitioners, as per G.O.Ms.No.172 dated 23.5.2012, they are entitled to get patta since they are in continuous possession and enjoyment of the land for the past three decades. Therefore, the petitioners have made representations dated 20.01.2012 and 05.9.2014 before the 2nd and 3rd respondents seeking for patta. Since no action was taken on the said representations, the petitioners are before this Court.

4. In the light of the above, without going into the merits of the petitioners' contentions, there will be a direction to the third respondent to consider the petitioners' representation dated 05.9.2014, on merits and in accordance with law, after affording an opportunity to the office bearers of the petitioners' Sangam and submit a report to the second respondent, within a period of four months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Principal Secretary / Commissioner
Land Administrative Department
Government of Tamil Nadu
Chennai - 600 005

2. The District Collector of Chennai
Rajaji Salai, Chennai -600 001

3. The Tahsildar, Perambur
/Purasawakkam Taluk
Ayanavaram, Chennai -600 023

+2 cc's to Mr.I.V.S.Manian, counsel for petitioner,SR.16017.

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