

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE B.RAJENDRAN

Writ Petition Nos.34368 to 34374 of 2016  
(seven cases)

|                      |     |                                   |
|----------------------|-----|-----------------------------------|
| D.Jeevanandham       | ... | Petitioner in W.P.No.34368 / 2016 |
| Mrs. D.Kasthuri      | ... | Petitioner in W.P.No.34369 / 2016 |
| Mr. P.Kumar          | ... | Petitioner in W.P.No.34370 / 2016 |
| Mr. P.Narayanan      | ... | Petitioner in W.P.No.34371 / 2016 |
| Mr. E.Raveendran     | ... | Petitioner in W.P.No.34372 / 2016 |
| Mrs. S.Suguna        | ... | Petitioner in W.P.No.34373 / 2016 |
| Mrs. Sakuntala Swamy | ... | Petitioner in W.P.No.34374 / 2016 |

Vs

1. The District Collector, Chennai District, Chennai
  2. The Tahsildar, Mylapore / Triplicane Taluk Office,  
Chennai - 600 028
  3. The Assistant Director,  
Land Survey Record Department,  
Chennai - 600 001
- .. Respondents in all W.Ps.

Prayer:- Petitions filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the first and second respondents to issue pattas in favour of the petitioners, pertaining to Nos.1/17, 22/28, 1/11, 12, 12, 18/12 and 13/15 of Pillayar Kovil Street / Pillayar Kovil Second Street, Kalikundram, Chennai 600 113, comprised in Survey No.4/1 Old Survey No.80, part, Kalikundram Village, Mylapore - Triplicane Taluk, measuring the extents of 1,200 sq.ft., 1,279 sq.ft., 560 sq.ft., 1,125 sq.ft., 1,125 sq.ft., 600 sq.ft., and 1,100 sq.ft., respectively, based on the recommendation order issued by the third respondent in proceedings No.Na.Ka.E1, No.2149/2009, dated 22.03.2010.

For Petitioner in all W.Ps. : Mr. T.Ramachandran  
For Respondents in all W.Ps.: Mr. R.S.Selvam,  
Government Advocate

## C O M M O N   O R D E R

Mr. R.S.Selvam, learned Government Advocate, accepts notice for the respondents, in all the writ petitions. By consent of the learned counsel for both sides, the writ petitions are taken up for final disposal.

2. Heard the learned counsel appearing for both sides, in all the writ petitions.

3. According to the petitioners, the petitioners are in occupation and possession of the properties, comprised in Town Survey No.4/1, Old Survey No.80, part of Kalikundram Village, Mylapore-Triplicane Taluk, bearing Door Nos.1/17, 22/28, 1/11, 12, 12, 18/12 and 13/15 of Pillayar Kovil Street / Pillayar Kovil Second Street, Kalikundram, Chennai 600 113, measuring extents of 1,200 sq.ft., 1,279 sq.ft., 560 sq.ft., 1,125 sq.ft., 1,125 sq.ft., 600 sq.ft., and 1,100 sq.ft., respectively, for more than thirty years. The petitioners have obtained Electricity Service Connections and paying property taxes for the said properties.

4. The petitioners, along with other 52 families, have formed an Association and on behalf of the Association, an application was submitted before respondents 1 and 2 to conduct an enquiry and to issue pattas in favour of the petitioners. Based on the said representation, the third respondent has directed the second respondent to consider the plea of the petitioners and other family members, numbering 52, and sent a report to the first respondent to issue pattas under the caption of "The Hon'ble Chief Minister Free Residential Patta" to the occupants of the premises in question.

5. This court has carefully considered the submissions made by the learned counsel for both sides and perused the materials available on record.

6. In the light of the above, there will be a direction to the respondents 1 and 2 to consider to issue pattas in favour of the petitioners pertaining to Nos.1/17, 22/28, 1/11, 12, 12, 18/12 and 13/15 of Pillayar Kovil Street / Pillayar Kovil Second Street, Kalikundram, Chennai 600 113, comprised in Survey No.4/1 Old Survey No.80, part, Kalikundram Village, Mylapore - Triplicane Taluk, measuring the extents of 1,200 sq.ft., 1,279 sq.ft., 560 sq.ft., 1,125 sq.ft., 1,125 sq.ft., 600 sq.ft., and 1,100 sq.ft., respectively, based on the recommendation order issued by the third respondent in proceedings No.Na.Ka.E1, No.2149/2009, dated 22.03.2010 and the Gazette Notification, dated 30.12.2006, under "The Hon'ble Chief Minister Free Residential Patta" scheme, if they are otherwise found eligible. It is made clear that this order is passed only in so far as the petitioners, in these writ

petitions alone, are concerned. Needless to state that respondents 1 and 2 shall act in an unbiased manner, without in any manner being influenced by anything said in these writ petitions.

7. In the result, these writ petitions are disposed of.  
No costs.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

To  
Sub Assistant Registrar

1. The District Collector,  
Chennai District, Chennai
2. The Tahsildar, Mylapore / Triplicane Taluk Office,  
Chennai - 600 028
3. The Assistant Director,  
Land Survey Record Department,  
Chennai - 600 001

+1 cc to the Government Pleader SR.No.56068

+7 cc to Mr.T.Ramachandran, Advocate (sr.55859 to 55865)

W.P.No.34368 to 34374 of 2016  
(7 cases)

CO(PA)  
CP 21/10/2016

सत्यमेव जयते

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