

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2016

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 43782 of 2016

Thenmozhi

...Petitioner

Vs.

1. The District Collector  
Chennai District  
Chennai.
2. The Tahsildar  
Mylapore/ Triplicane Taluk Office  
Chennai- 600 028.
3. The Tahsildar  
Velachery Taluk Office  
Velachery  
Chennai - 600 042.
4. The Assistant Director  
Land Survey Record Department  
Chennai - 600 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to issue patta in favour of the petitioner pertaining to No.9/11 Kalikundram 1<sup>st</sup> Street, Kalikundram, Chennai - 600 113, comprised in Town Survey No.4/1 Old Survey No.80/ part Kalikundram Village, Mylapore-Triplicane Taluk measuring an extent of 1100 sq.ft. based on the recommendation order issued by the 4<sup>th</sup> respondent in proceedings No. Na.Ka.E1.No.2149/2009 dated 22.03.2010 and pass further orders.

For Petitioner : Mr. T. Ramachandran

For Respondents : Mr. A. Kumar,  
Spl. Government Pleader

O R D E R

Mr. A. Kumar, learned Special Government Pleader accepts notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal, at the stage of admission itself.

2. The petitioner has filed this writ petition seeking for a direction to 1<sup>st</sup> and 2<sup>nd</sup> respondents, to issue patta in favour of her pertaining to the property at No.9/11 Kalikundram 1<sup>st</sup> Street, Kalikundram, Chennai - 600 113, comprised in Town Survey No.4/1 Old Survey No.80/ part Kalikundram Village, Mylapore-Triplicane Taluk, measuring an extent of 1100 sq.ft., based on the recommendations issued by the 4<sup>th</sup> respondent in proceedings No. Na.Ka.E1.No.2149/2009 dated 22.03.2010.

3. Learned counsel for the petitioner submitted that the petitioner is in occupation and possession of the property, comprised in Town Survey No.4/1 Old Survey No.80/ part Kalikundram Village, Mylapore-Triplicane Taluk, at No.9/11 Kalikundram 1<sup>st</sup> Street, Kalikundram, Chennai - 600 113 measuring an extent of 1100 sq.ft. The petitioner has obtained Electricity Service connections and paying property tax for the said property.

4. Learned counsel further submitted that the petitioner along with other 52 families, have formed an Association and on behalf of the Association, an application was submitted before the respondents 1 and 2 to conduct enquiry and issue patta in favour of them. Based on the representation, the 4<sup>th</sup> respondent issued an order dated 22.03.2010 confirming that 52 families are in continuous occupation and possession of the respective premises and the 3<sup>rd</sup> respondent directed the 2<sup>nd</sup> respondent to consider the plea of the residents of Kalikundram Village and send a report to the 1<sup>st</sup> respondent, to issue patta under the caption "The Hon'ble Chief Minister Free Residential Patta" to the occupants of the subject premises.

5. This Court had already considered the same issue in a batch of writ petitions in W.P. No.34368 of 2016 to 34374 of 2016 and had issued directions on 29.09.2016, to the respondents 1 and 2, to consider to issue patta in favour of the petitioners therein, based on the recommendation order issued by the 3<sup>rd</sup> respondent.

6. Considering the above, this Court is inclined to direct the 1<sup>st</sup> respondent, District Collector, to consider the report submitted by the 4<sup>th</sup> respondent in his proceedings No. Na.Ka.E1.No.2149/2009 dated 22.03.2010, on merits and in

accordance with law, as expeditiously as possible.

7. The Writ Petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector  
Chennai District  
Chennai.
2. The Tahsildar  
Mylapore/ Triplicane Taluk Office  
Chennai- 600 028.
3. The Tahsildar  
Velachery Taluk Office  
Velachery, Chennai - 600 042.
4. The Assistant Director  
Land Survey Record Department  
Chennai - 600 001.

+1cc to Mr.Ramachandran, Advocate, S.R.No.74386  
+1cc to the Government Pleader, S.R.No.74810

SAI (CO)  
RS(15/02/2017)

सत्यमेव जयते

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