

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM :

The Hon'ble MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.5572 of 2017

and

W.M.P.Nos.5928 & 5929 of 2017

Kumaran Nagar Makkal Nala Mandram-

Civic Exnora,

rep. by its President Mr.P.V.Janardhanan,

No.21/65, Jawaharlal Nehru Street,

Kumaran Nagar, Padi,

Chennai - 600 050.

... Petitioner

-vs-

1. The Thiruvallur District Collector,
Office of the District Collector,
Thiruvallur - 602 001.
2. The Thiruvallur District Revenue Officer,
Office of the District Revenue Officer,
District Collector Office Campus,
Thiruvallur - 602 001.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ambathur Revenue Division,
Ambathur - 600 053.
4. The Commissioner of Corporation,
Ribbon Building,
Park Town, Chennai - 600 003.
5. P.John Illango
6. Tahsildar,
Office of the Tahsildar,
Ambatur Taluk Office,
Ambatur,
Chennai - 600 050.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the respondent No.6, dated 2.8.2016 in his Proceedings Na.Ka.2247/2016/C1 and quash the same and consequentially direct the respondent No.4 to proceed with construction of the compound wall around the lands earmarked for public purpose in approved layout bearing LPH/DTP No.105/1964.

For Petitioner : Mr.S.Senthil Nathan

For Respondents : Mr.M.K.Subramanian
Government Pleader
for Respondent Nos.1,2,3 & 6
Mr.K.Soundararajan for R4

ORDER

(Order of the Court was made by The Hon'ble Acting Chief Justice)

Mr.M.K.Subramanian, learned Government Pleader takes notice for respondent Nos.1, 2, 3 & 6. Mr.K.Soundararajan, learned counsel takes notice for respondent No.4.

2. The petitioner has filed the writ petition seeking to quash the proceedings of the sixth respondent dated 02.8.2016 and to direct the fourth respondent to proceed with the construction of the compound wall around the lands earmarked for purpose purpose in the approved layout bearing LPH/DTP No.105/1964.

3. It is the case of the petitioner Association that the fifth respondent purchased the lands earmarked for public purposes (schools and playground for children) in gross violation of the layout plan. The fifth respondent worked as a Revenue Inspector and by abusing his official authority, fake patta is sought to be obtained. The sixth respondent issued the impugned order as if the vendor was granted with patta for the lands earmarked for public purposes only with a view to facilitate respondent No.5 for grant of patta. According to petitioner, no patta should be granted to the fifth respondent without notice to the petitioner and the Chennai Corporation. On 6.10.2016, the petitioner made a representation to the respondent/authorities. Despite receipt of the same, no action was taken. Hence, the present petition.

4. Heard the learned counsel for parties for some time.

5. It appears that as per the records submitted the property

in question is a private property. Against the private property, the prayer sought cannot be maintained. If really, the petitioner is aggrieved over the transfer of revenue records, the petitioner can very well approach the authorities concerned and get clarification.

6. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.Nos.5928 and 5929 of 2017 are closed.

Sd/-
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1. The Thiruvallur District Collector,
Office of the District Collector,
Thiruvallur - 600 001.
2. The Thiruvallur District Revenue Officer,
Office of the District Revenue Officer,
District Collector Office Campus,
Thiruvallur - 602 001.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ambathur Revenue Division,
Ambathur - 600 053.
4. The Commissioner of Corporation,
Ribbon Building, Park Town,
Chennai - 600 003.
5. The Tahsildar,
Office of the Tahsildar,
Ambatur Taluk Office,
Ambatur, Chennai - 600 050.

+1cc to Mr.Senthilnathan, Advocate, S.R.No.14333
+1cc to Mr.Soundararajan, Advocate, S.R.No.14775
+1cc to the Government Pleader, S.R.No.14703

EV(CO)
RS(16/03/2017)

W.P.No.5572 of 2017