

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.31905 OF 2017

Arulmigu Jagadambigai Samedha
Arulmigu Thiruvallieswarar Thirukoil,
Padi, Chennai 600 050,
Rep. by its Executive Officer. ... Petitioner

Vs.

- 1.The Collector,
District Collectorate,
Thiruvallur.
- 2.The Tahsildar,
Ambattur Taluk,
Chennai 600 053.
- 3.The Tamil Nadu Housing Board,
Rep. by its Managing Director,
No.493, Anna Salai,
Nandanam, Chennai 600 035. ... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus to direct the second respondent to effect the necessary changes in the revenue records in respect of 21.08 acres of land in Survey No.218/2, Thiruvallieswarar Nagar, Thirumangalam-Padi Village, Ambattur Taluk, Thiruvallur District by deleting the name of the third respondent and including the name of the petitioner temple.

For Petitioner: Mr.A.K.Sriram
Assisted by Mr.Wilson for Kailasam &
Associates

For Respondents: Mr.S.Navaneethan for R1 and R2
Additional Government Pleader
Mr.V.Anandamoorthy R3

O R D E R

The petitioner is a temple. The present writ petition is filed seeking for a mandamus directing the second respondent to effect necessary changes in the revenue records in respect of the land in Survey No.218/2, Thiruvalléeswarar Nagar, Thirumangalam-Padi Village, Ambattur Taluk, Thiruvallur District measuring 21.08 acres by deleting the name of the third respondent and including the name of the petitioner temple in those records.

2.Heard Mr.A.K.Sriram assisted by Mr.Wilson, learned counsels appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2 as well as the learned Standing Counsel for the third respondent Housing Board.

3.The petitioner temple claims that the subject matter land is owned by them. It is further stated that though a land acquisition proceeding was initiated as early as in the year 1975, possession was never taken and the land continued to be in the possession and control of the Management of the petitioner temple till this date. It is further stated that the third respondent released the said land from acquisition and the compensation paid by them was also returned to them. Thus, it is stated that though the land acquisition proceeding was given up, the revenue records still carry the name of the third respondent and therefore, the petitioner made a representation on 04.06.2016 to the second respondent also by marking copy to the first respondent. It is further stated that the first respondent through the letter dated 28.06.2016 directed the second respondent to make necessary changes in the revenue records so as to include the name of the petitioner temple in the place of the third respondent. However, it is stated, the second respondent has not carried out the changes in the revenue records so far. Therefore, the present writ petition is filed seeking for the relief stated supra.

4.This Court, at this stage, is not inclined to express any view on the claim made by the petitioner, as it is for the respondents 1 and 2 to consider and decide more particularly, the second respondent after hearing the petitioner as well as the third respondent. Accordingly, this writ petition is disposed of, by directing the second respondent to consider the claim of the petitioner for effecting changes in the revenue records in respect of the subject matter land and pass orders on

merits and in accordance with law after giving due opportunity of hearing to both parties. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

vri

To

- 1.The Collector,
District Collectorate,
Thiruvallur.
- 2.The Tahsildar,
Ambattur Taluk,
Chennai 600 053.
- 3.The Tamil Nadu Housing Board,
Rep. by its Managing Director,
No.493, Anna Salai,
Nandanam, Chennai 600 035.

- + 1 cc to MR. A.S. Kailasam & Associates, SR.731
- + 1 cc to Mr.V. Anandhamoorthy, Advocate SR.740
- + 1 cc to Government Pleader SR.8981

W.P.No.31905 of 2017

KS(CO)
EU(19/01/2018)

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