

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.03.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.30598 of 2015

1. K.M.Thomas (Deceased)

* P2 to P6 are substituted as LRS of P1-K.M.Thomas,
as per the order dated 02.08.2018
in WMP.No.17947/2017 in WP.No.30598/2015.

2. Y.Kochukunju

3. Meena Thomas

4. Verghese Thomas

5. Cherian Thomas

6. Rachel M.Thomas

...Petitioners

Vs.

1. The Principal Secretary-cum-Commissioner,
Land Reforms,
Ezhilagam, Chennai.

2. The District Collector,
Kancheepuram District,
Kancheepuram.

3. The Assistant Commissioner,
Competent Authority, Urban Land,
(Ceiling and Regulations),
Adambakkam, Chennai - 88.

4. The Revenue Divisional Officer,
Tambaram, Chennai.

5. The Tahsildar,
Chozhinganallur Taluk,
Chozhinganallur,
Chennai - 600109.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 5th respondent to issue revised Patta in respect of the lands of an extent of 1 Acre and 40 Cents comprised in Survey Nos.426/2 which has been later sub-divided as Survey Nos.426/2A and 426/2B situated in Medavakkam Village, Chozhinganallur Taluk,

Kancheepuram District for the Patta already issued to the petitioners vide Patta No.56 by the Special Tahsildar, Saidapet.

For petitioners : Mr.J.Ram

For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

The petitioners seek for a mandamus directing the fifth respondent to issue revised Patta in respect of the lands measuring an extent of 1 Acre and 40 Cents comprised in Survey No.426/2, which has been later sub-divided as Survey Nos.426/2A and 426/2B situated at Medavakkam Village, Chozhinganallur Taluk, Kancheepuram District, for the Patta already issued to the petitioners vide Patta No.56 by the Special Tahsildar, Saidapet.

2. The case of the petitioners is that when they purchased the subject matter land, a Patta was issued in Patta No.56 showing the survey number of the land as 426/2 and that after sub-division, the subject matter land bears Survey Nos.426/2A and 426/2B of Medavakkam Village Chozhinganallur Taluk, Kancheepuram District. By contending so, the petitioners seek for revised patta.

3. The grievance of the petitioners is that the said request has not been considered by the fifth respondent so far. Needless to say that it is for the fifth respondent to consider the grievance of the petitioners and pass orders on the request of the issuance of the revised patta, as this Court is not expressing any view on the merits of the claim made by the petitioners. It is open to the petitioners to place all the materials in support of their claim seeking for such revised patta before the fifth respondent.

4. Accordingly, this Writ Petition is disposed of, only by directing the fifth respondent to consider the claim of the petitioners made through the original petitioner-K.M.Thomas dated 15.02.2014 and pass orders on the same on merits and in accordance with law, after hearing all the parties concerned within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sni/mk

To

1.The Principal Secretary-cum-Commissioner,
Land Reforms, Ezhilagam, Chennai.

2.The District Collector,
Kancheepuram District,Kancheepuram.

3.The Assistant Commissioner,
Competent Authority, Urban Land,
(Ceiling and Regulations),
Adambakkam, Chennai - 88.

4.The Revenue Divisional Officer,
Tambaram, Chennai.

5.The Tahsildar,
Chozhinganallur Taluk,
Chozhinganallur, Chennai - 600109.

+lcc to Mr.P.Gopalan, Advocate, S.R.No.20742

+lcc to the Government Pleader, S.R.No.20991

W.P.No.30598 of 2015

SKV(CO)

RRS (09/04/2019)



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