

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10113 of 2019
and
W.M.P.No.10675 of 2019

S.Kumar,
S/o. Sagadevan,
No.132, Poonamallee High Road,
Vellappanchavadi, Chennai - 600007
Represented by his Power Agent,
R.Rama Ravindra Kumar,
S/o. Late Rangan Reddy,
No.3/82, Middle Street,
Mettupalayam Village,
Thiruverkadu Post,
Chennai - 600077. ... Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 600009.
2. The Commissioner of Land Survey and Settlement,
Government of Tamil Nadu,
Chepauk, Chennai - 600005.
3. The Assistant Settlement Officer (North),
O/o. Principal Secretary &
Commissioner of Land Survey and Settlement,
Chepauk, Chennai - 600005.
4. The Managing Director,
Tamil Nadu Slum Clearance Board,
Chepauk, Chennai - 600005.
5. The District Collector,
Thiruvallur District,
Thiruvallur - 602001.
6. The Tahsildar,
Poonamallee Taluk,
Poonamallee,
Chennai - 6000056. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 5th respondent immediately to conduct enquiry on the petitioner's representation dated 05.12.2018 thereby granting opportunity for the petitioner to appear in person and submit all records pertaining to the lands measuring 66 cents comprised in Survey No.22/1, situated at Puliyambedu Village, Poonamallee Taluk, Thiruvallur District and to establish that the said lands are private lands of S.Kumar and his family and the classification in the Revenue Records by respondents 5 & 6 is erroneous and arbitrary.

For Petitioner : Mr.Anantha Rama Krishnan N.R.

For Respondents: Mr.S.Soundararajan
Government Advocate
for R1, R2, R3, R5 & R6

Mr.S.Prabhu
Standing Counsel for R4

O R D E R

Mr.S.Soundararajan, learned Government Advocate takes notice for the 1st, 2nd, 3rd, 5th and 6th respondents and Mr.S.Prabhu, learned Standing Counsel takes notice for the 4th respondent. By consent of the parties the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus, directing the 5th respondent to conduct an enquiry based on the representation made by him on 05.12.2018, wherein and whereby, he sought for re-classification of the subject matter land, which according to the petitioner was wrongly classified as "Punjai Anadheenam" land. In other words, it is the claim of the petitioner that the subject matter land is a private property, which was wrongly classified as "Punjai Anadheenam".

3. Heard both sides.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 5th respondent to consider and decide the same on merits and in accordance with law after hearing all the parties concerned. Accordingly, this Writ Petition is disposed of, only by directing the 5th respondent to consider the representation of the petitioner dated 05.12.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, 4th respondent and other interested parties, if any. The whole

exercise shall be done by the 5th respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sni/mk

To

1. The Secretary to Government,
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Fort St.George,
Chennai - 600009.
2. The Commissioner of Land Survey and Settlement,
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Chepauk, Chennai - 600005.
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Chepauk, Chennai - 600005.
5. The District Collector,
Thiruvallur District, Thiruvallur - 602001.
6. The Tahsildar,
Poonamallee Taluk,
Poonamallee, Chennai - 600005.

+1 cc to Mr/S.Prabhu, Advocate Sr.No.32830

+1 cc The Government Pleader, Sr.No.33419

CSL/07.05.2019

W.P.No.10113 of 2019