

In the High Court of Judicature at Madras

Dated : 03.12.2019

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition Nos.33686, 33688 & 33689 of 2019

E.Selvaraj ...Petitioner in
WP.33686/2019

Vasanthi ...Petitioner in
WP.33688/2019

Kanagaraji ...Petitioner in
WP.33689/2019

Vs

1.The Chief Secretary, Secretariat,
St.George Fort, Chennai-9. ...R1 in WP.Nos.
33688 & 33689
of 2019

2.The District Collector, Vellore.

3.The Sub-Collector, Ranipet,
Vellore District.

4.The Tahsildar, Arakonam
Tahsildar Office,
Vellore District.

...R1 to R3 in
in WP.No.33686 of 2019
& R2 to R4 in WP.Nos.33688
& 33689/2019

PETITIONS under Article 226 of The Constitution of India praying for the issuance of Writs of Mandamus (i) directing the 3rd respondent to consider the petitioner's representation dated 26.1.2019 regarding issuing patta in favour of the petitioner in respect of house site property in the Government poramboke land in Survey No.237/21 to the extent of 0.5 1/2 cents at No. 14C, Sanar Street, Binnavaram, Senthamangalam Village, Arakkonam Taluk, Vellore District (WP.No.33686 of 2019); (ii) directing the 4th respondent to consider the petitioner's representation dated 04.2.2019 regarding issuance of patta in favour of the petitioner in respect of house site property in the Government poramboke land in Survey No.237/21 to the extent of 0.4 1/2 cents at Sanar Street, Binnavaram, Senthamangalam Village, Arakkonam Taluk, Vellore District (WP.No.33688 of 2019); and (iii) directing the 4th respondent to consider the petitioner's

representation dated 04.2.2019 regarding issuing patta in favour of the petitioner in respect of house site in the Government poramboke land in Survey No.237/21 to the extent of 0.5 1/4 cents at Sanar Street, Binnavaram, Senthamangalam Village, Arakkonam Taluk, Vellore District (WP.No.33689 of 2019).

For Petitioners :Mr.C.Chokkalingam in all the Petitions

For Respondents :Mr.T.M.Pappiah, Special Government Pleader
in all the Petitions

COMMON ORDER

I have heard Mr.C.Chokkalingam, learned counsel for the petitioners and Mr.T.M.Pappiah, learned Special Government Pleader accepting notice for the respondents.

2. The petitioners seek a direction to the Tahsildar, Arakkonam, Vellore District to consider their representations for grant of patta in respect of the lands stated to be in their possession for several years.

3. To substantiate their case, the petitioners filed copies of house tax receipts and receipts pertaining to electricity consumption charges. The request made by the petitioners for grant of patta was forwarded to the Tahsildar, Arakkonam by the District Collector, Vellore vide proceedings dated 25.2.2019 to examine the feasibility of the request made by the petitioners. The petitioners now seek a positive direction to the Tahsildar, Arakkonam, Vellore District to issue patta.

4. The learned Special Government Pleader, who has accepted notice on behalf of the respondents, submits that the lands in question have been classified as Kalvai. In this regard, a copy of the A-Register is produced before this Court.

5. If the lands in question were classified as Kalvai, then patta cannot be granted in favour of either the petitioners or others. Therefore, if the petitioners are eligible to get house site patta, they have to make a separate application for different lands. A direction as sought for cannot be granted. However, this will not prevent the petitioners from making a fresh representation to the authority concerned identifying a different property, which according to the petitioners, would be unobjectionable and if such a request is made, then the authority concerned shall consider and examine the feasibility of granting house site patta. It is needless to say that such a decision shall be taken on merits and in accordance with law.

6. With the above observations, the above writ petitions are dismissed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Chief Secretary, Secretariat,
St.George Fort, Chennai-9.

2.The District Collector,
Vellore.

3.The Sub-Collector,
Ranipet, Vellore District.

4.The Tahsildar,
Arakonam Tahsildar Office,
Vellore District.

+3cc to Mr.C.Chokkalingam, Advocate, S.R.No. 100563 to 100565
+1cc to the Government Pleader, S.R.No. 101630

WP.Nos.33686, 33688
& 33689 of 2019

VG I (CO)
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