

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2019

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.34356 of 2018

Nolambur Residents' Welfare Association,  
Regn. No. 189 of 1996,  
MIG-356, Nolambur Neighbourhood Scheme, Phase-I,  
Chennai 600 037.

Rep. By its Secretary, M.Selvamani

.. Petitioner

Vs.

1. The Secretary to the Government,  
Housing and Urban Development Department,  
Fort St. George, Chennai 600 009.
2. The Secretary to the Government,  
Revenue Department,  
Fort St. George, Chennai 600 009.
3. The Additional Chief Secretary/  
Commissioner of Land Administration,  
Ezhilagam, Chempauk,  
Chennai 600 005.
4. The District Collector,  
Tiruvallur District,  
Tiruvallur.
5. The Managing Director,  
Tamil Nadu Housing Board,  
493, Anna Salai, Nandanam,  
Chennai 600 035.
6. The Executive Engineer & Administrative Officer,  
Tamilnadu Housing Board, Mogappair Division,  
Thirumangalam,  
Chennai 600 101.
7. The Tahsildar,  
Taluk Office,  
Maduravoyal, Chennai.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2, 3 and 7 to effect transfer of the poromboke lands in S.Nos.316, 343 part 344 part and 345 part in 62, Nolambur Village, Maduravoyal Taluk, and Tiruvallur District coming under the Nolambur Neighbourhood Scheme, Phase-I in favour of the 5<sup>th</sup> respondent so as to enable the members of the petitioner Association to be issued with Pattas in their names for their respective plots purchased by them and sale deeds executed by the 6<sup>th</sup> respondent within a prescribed time limit.

For Petitioner : Mr.P.P.Shanmugasundaram

For Respondents : Mr.V.Shanmugasundar

Special Govt. Pleader for RR1 to 4 & 7

Mr.V.Anandamoorthy

Standing Counsel for RR5 & 6

#### O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has come up with this writ petition seeking a direction to the respondents 2, 3 and 7 to effect transfer of the poromboke lands in S.Nos.316, 343 part 344 part and 345 part in 62, Nolambur Village, Maduravoyal Taluk, and Tiruvallur District coming under the Nolambur Neighbourhood Scheme, Phase-I in favour of the 5<sup>th</sup> respondent so as to enable the members of the petitioner Association to be issued with Pattas in their names for their respective plots purchased by them and sale deeds executed by the 6<sup>th</sup> respondent within a prescribed time limit.

3. According to the learned counsel for the petitioner, earlier in the year 2015 the members of the petitioner Association submitted their applications for issuance of patta of the respective plots purchased by them in their names, but, the same were rejected by the seventh respondent on the ground that they are Government Poramboke lands. Since they have purchased the lands from Tamil Nadu Housing Board (TNHB), from the year 2015, the petitioner Association has been giving various representations to the respondents seeking further action in this regard. Though they have been given replies stating that proposal is pending consideration to take policy decision, till date no decision was communicated to them. Hence, they sought a direction to the respondents 2, 3 and 7 to transfer the said lands in favour of the fifth respondent enabling the seventh respondent to issue patta to them.

4. Heard Mr.V.Shanmugasundar, learned Special Government Pleader appearing on behalf of respondents 1 to 4 and 7 and Mr.V.Anandamoorthy, learned standing counsel appearing on behalf of respondents 5 and 6.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the second respondent to consider the petitioner's representations and pass appropriate orders, on merits and in accordance with law, after issuing notice and also affording due opportunity of hearing to the petitioner, as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Secretary to the Government,  
Housing and Urban Development Department,  
Fort St. George, Chennai 600 009.

2. The Secretary to the Government,  
Revenue Department,  
Fort St. George, Chennai 600 009.

3. The Additional Chief Secretary/  
Commissioner of Land Administration,  
Ezhilagam, Chepauk, Chennai 600 005.

4. The District Collector,  
Tiruvallur District, Tiruvallur.

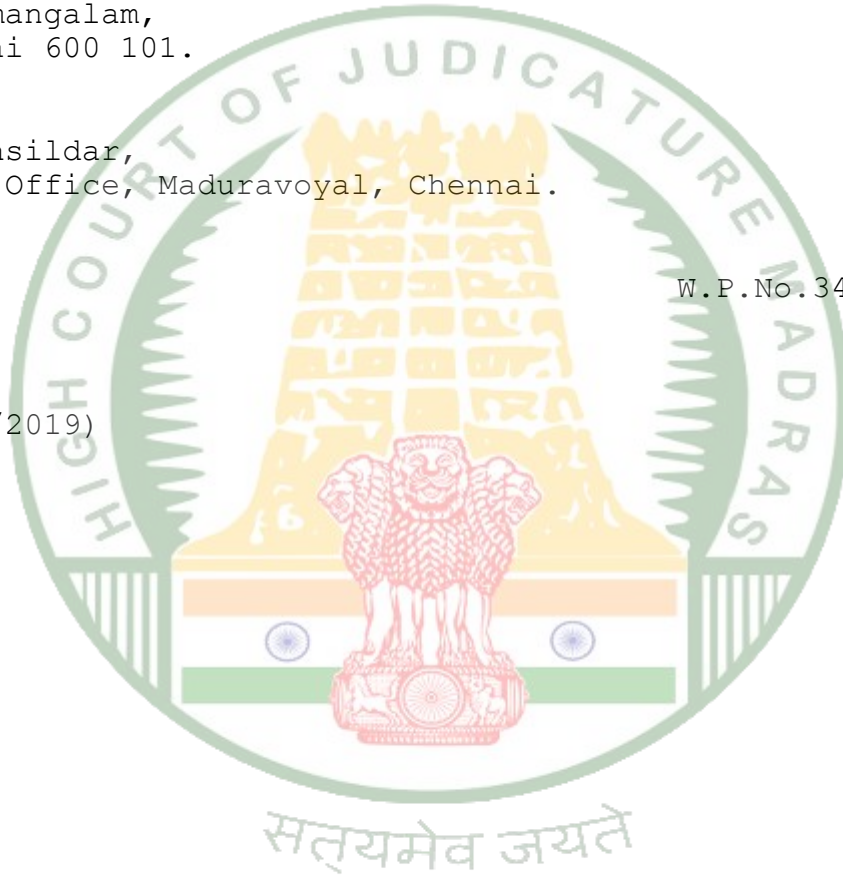
5. The Managing Director,  
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6. The Executive Engineer & Administrative Officer,  
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7. The Tahsildar,  
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SSD(CO)  
SSM(13/02/2019)



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