

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :19.02.2020
CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos. 23281 to 23290 of 2015
and M.P.No.1 of 2015 [in all W.Ps.]

A. Kumar	...Petitioner in WP.No.23281/2015
Monica felix	...Petitioner in WP.No.23282/2015
S.Mallarvizhi	...Petitioner in WP.No.23283/2015
G.Gaunasekaran	...Petitioner in WP.No.23284/2015
L.Perumal	...Petitioner in WP.No.23285/2015
T.Yanadaiah	...Petitioner in WP.No.23286/2015
R.Srinivasan	...Petitioner in WP.No.23287/2015
N.Venkatesan	...Petitioner in WP.No.23288/2015
Leo Jayaraj Francis	...Petitioner in WP.No.23290/2015
G.Sivanandam	...Petitioner in WP.No.23291/2015

-vs-

1. The State of Tamil Nadu,
represented by its Secretary to Government,
Public Works Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Alandur Taluk,
Alandur.
4. The Settlement Tahsildar,
Alandur Town,
Alandur.
5. The Town Surveyor,
Alandur Taluk,
Alandur.

6. The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Padapai - 601 301,
Kancheepuram District.

... Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 3 to 5 to implement the order passed by the Assistant Settlement Officer, Thiruvannamalai dated 21.07.2000 and to grant patta in the name of the petitioner in respect of Plot No.12, Plot No.8 Plot No.5, Plot No.40,4,7,37,38,8,39 respectively (in WPs.23281 to 23290/15) 5th Street, Jeevan Nagar, in Survey No.104/1 Town Survey No.2 of Adambakkam Village, Saidapet Taluk, Kancheepuram District.

For Petitioners : Mr. R. Suresh Kumar
[W.P.Nos.23281, 23283, 23284, for M/s. Vijayan Associates
23286, 23287, 23288, 23290 of 2015]

For Petitioners : Mr.N.Sampath
[W.P.Nos.23282, 23285
& 23829 of 2015]

For Respondents : Mrs. A. Sri Jayanthi
[in all W.Ps.] Special Govt. Pleader

COMMON ORDER

Heard Mr.R. Suresh Kumar, learned counsel for petitioners in W.P.Nos.23281, 23283, 23284, 23286 to 23288 & 23290 of 2015, Mr.N.Sampath, learned counsel for petitioners in W.P.Nos.23282, 23285 and 23829 of 2015 and Mrs.A. Sri Jayanthi, learned Special Government Pleader for respondents.

2. With consent of learned counsel on either side, these writ petitions itself are taken up for final disposal.

3. These writ petitions have been filed seeking for issuance of a writ of mandamus, to direct the respondents 3 to 5 to implement the order passed by the Assistant Settlement Officer, Thiruvannamalai dated 21.07.2000 and to grant patta in the names of the petitioners in respect of Plot Nos.12, 8, 5, 40, 4, 7, 37, 38, 8 and 39, 5th Street, Jeevan Nagar, in Survey No.104/1 Town Survey No.2 of Adambakkam Village, Saidapet Taluk, Kancheepuram District.

4. The learned counsel for the petitioners submitted that identical prayer was considered by this Court in W.P.No.7062 of 2011 and the writ petition was disposed of by order dated 19.06.2013 by issuing a direction to the Tahsildar, Alandur to consider the representation of the petitioner. However, the petitioner was also directed to enclose all the relevant documents.

5. The learned counsel for the petitioners submitted that the Tahsildar rejected the application for grant of patta by a non-speaking order and challenging the same, the petitioner therein Mr.S.K. Balasundaram filed an appeal before the District Revenue Officer and the same is pending.

6. Since similarly placed person has not been granted any relief by the Tahsildar and the appeal filed by Mr.S.K. Balasundaram before the District Revenue Officer is pending, the petitioners' case may also be considered by the 3rd respondent based on the outcome of the aforesaid appeal.

7. Thus, these writ petitions are disposed of by directing the petitioners to give fresh representations along with a copy of the earlier representations and enclosing all relevant documents in respect of their claim and this application be presented in person in the office of the 3rd respondent and a copy of this order shall also be enclosed. On receipt of such representations, the 3rd respondent shall ascertain as to the outcome of the appeal filed by Mr.S.K.Balasundaram and based on the order passed by the District Revenue Officer, the representations given by the petitioners shall also be considered.

8. In any event, the matter is still pending before the District Revenue Officer, the 3rd respondent shall await for the orders from the District Revenue Officer concerned. If in the case of Mr.S.K.Balasundaram, orders have already been passed by the District Revenue Officer, following the same the 3rd respondent shall pass orders within a period of eight(8) weeks from the date on which, the relevant information is received from the office of the District Revenue Officer.

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With the above observations, these writ petitions are disposed of. No costs. Connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
Public Works Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District, Kancheepuram.
3. The Tahsildar,
Alandur Taluk, Alandur.
4. The Settlement Tahsildar,
Alandur Town, Alandur.
5. The Town Surveyor,
Alandur Taluk, Alandur.
6. The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Padapai - 601 301, Kancheepuram District.

+1 cc to Government Pleader High Court Madras
sr 14690

+3 ccs to Mr.N.Sampath Advocate sr14087

+8 ccs to Mr.K.M.Vijayan Associates sr14783 to 14790

W.P.Nos. 23281 to 23290 of 2015
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