

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP Nos.11797,11800, 11802, 11804, 11808, 11812, 11816,11818,
11820, 11822,11827, 11829 of 2020

N.RAVICHANDRAN ... PETITIONER in WP No.11797 of 2020
R.BHUVANESWARI ... PETITIONER in WP No.11800 of 2020
P. CHITHRA ... PETITIONER in WP No.11802 of 2020
RAJALAKSHMI ... PETITIONER in WP No.11804 of 2020
RAKESHKUMAR ... PETITIONER in WP No.11808 of 2020
S.SANGEETHA ... PETITIONER in WP No.11812 of 2020
NAGARAJAN ... PETITIONER in WP No.11816 of 2020
MAGESWARAN ... PETITIONER in WP No.11818 of 2020
MAGESWARAN ... PETITIONER in WP No.11820 of 2020
HARISH NARAYAN ... PETITIONER in WP No.11822 of 2020
P.CHITHRA ... PETITIONER in WP No.11827 of 2020
N.SARAVANAN ... PETITIONER in WP No.11829 of 2020

Vs.

1. The District Collector,
Chennai.

2. The Tahsildhar,
Sholinganallur Taluk,
Chennai.

... Respondents in all WPs

Writ Petitions are filed under Article 226 of Constitution of India, for the issue of writ of Mandamus

WP No.11797 of 2020:

directing the respondents to issue sub division patta transfer in respect of the petitioners property in Survey No. 395 1463 sq.ft. as per the registered sale deed dated 20.10.2006 bearing document No. 8365 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256967 dated 31.7.2020 and thereby issue patta transfer in favour of the petitioner.

WP No.11800 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 26.10.2006 bearing document No. 8363 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256969 dated 31.7.2020 and pass such other orders.

WP No.11802 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No. 8362 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256959 dated 31.7.2020 and pass such other orders.

WP No.11804 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 26.10.2006 bearing document No. 8371 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256961 dated 31.7.2020 and pass such other orders.

WP No.11808 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 853 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No.

8370 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256970 dated 31.7.2020 and pass such other orders.

WP No.11812 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 820 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No. 8364 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256960 dated 31.7.2020 and pass such other orders.

WP No.11816 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 913 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No. 8360 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256963 dated 31.7.2020 and pass such other orders.

WP No.11818 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 20.10.2006 bearing document No. 8366 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256965 dated 31.7.2020 and pass such other orders.

WP No.11820 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 20.10.2006 bearing document No. 8367 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256966 dated 31.7.2020 and pass such other orders.

WP No.11822 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No. 8369 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256972 dated 31.7.2020 and pass such other orders.

WP No.11827 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 880 sq.ft. as per the registered sale deed dated 21.11.2013 bearing document No. 11721 / 2013 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256958 dated 31.7.2020 and pass such other orders.

WP No.11829 of 2020:

directing the respondents to issue sub division patta transfer in Favour of the petitioner in respect of the petitioners property in Survey No. 395 - 1693 sq.ft. as per the registered sale deed dated 18.10.2006 bearing document No. 8368 / 2006 Joint SRO 1, Saidapet, south Chennai, pursuant to the sub division patta transfer online application No. 2020 / 0105 / 02 / 256971 dated 31.7.2020 respectively.

For Petitioner : Mr.N.Suresh

For Respondents: Mr.E.Balamurugan
Special Government Pleader
for Respondents in
WP Nos.11797&11800/2020

Mr.S.N.Parthasarathy
Government Advocate
for Respondents in
WP Nos.11802, 11804/2020

Mr.K.Parameswaran
Government Advocate

for Respondents in
WP Nos.11808, 11812 /2020

Mr.Aruldoss
Government Advocate
for Respondents in WP Nos.11816,
11818 /2020

Mr.Annai Ezhil
Government Advocate
for Respondents in
WP Nos.11820, 11822/2020

Mr.Mani Gopi
Government Advocate
for Respondents in
WP Nos.11827, 11829/2020

COMMON ORDER

All these writ petitions have been filed for a direction to the 2nd respondent to consider the representations made by the petitioners, who are seeking for sub-division of the properties and issuance of patta in favour of each petitioner.

2. The case of the petitioners is that the property was developed by one S & S Foundation Private Limited, who was holding a general Power of Attorney from the original owner of the property. According to the petitioner, already 34 patta transfer have been effected with respect to the very same Survey number by sub-dividing the property. The grievance of the petitioners is that they have also made appropriate applications before the 2nd respondent and sought for the sub-division of the property and separate patta and the same has not been considered till date. The petitioners want their application to be considered in line with the earlier decision taken by the 2nd respondent, wherein, it is alleged that already 34 patta transfers have taken place in the same survey number.

3. The respective learned counsels appearing on behalf of the respondents submitted that the application given by the petitioners has been taken on file and enquiry is fixed by the 2nd respondent on 10.09.2020 at 11.00 a.m. The learned counsel further submitted that the petitioners can be present for the enquiry with all the necessary documents.

4. Heard Mr.N.Suresh, learned counsel appearing for the petitioner.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the 2nd respondent has already called the petitioners for an inquiry, there shall be a direction to the 2nd respondent to consider the applications given by the petitioners and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. The learned Special Government Pleader shall serve a copy of the notice calling for enquiry, to the learned counsel for the petitioners immediately.

6. These writ petitions are disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Chennai.
2. The Tahsildhar,
Sholinganallur Taluk,
Chennai.

+lcc to the Government Pleader Sr.29237, 29113, 29238, 29117,
29118, 29112, 29097

सत्यमेव जयते

WP Nos.11797,11800, 11802,
11804,11808, 11812, 11816,
11818, 11820,11822,11827, 11829 of 2020

WEB COPY

rlp[col
srg 04/11/2020