

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.14542 of 2020

M/s.Serene Estates Private Ltd.,
rep. by its authorized signatory,
G.Selvakumar

having its Registered office at
NSL ICON

Door No:8-2-684/2A,
Plot Nos.1 to 4, 4th floor,
Road No.12, Banjara Hills,
Hyderabad 500 034

having branch office at
103, Classic Garden,
Kumarasamy Nagar, 2nd Street,
IT highway (OMR) Rajiv Gandhi Salai,
Sholinganallur,
Chennai 600 115.

... Petitioner

Vs.

1.The District Collector,
Singaravelar Maligai,
62, Rajaji Salai, Chennai.

2.The District Revenue Officer,
Singaravelar Maligai,
62, Rajaji Salai, Chennai.

3.The Revenue Divisional Officer,
Anna Salai, Guindy,
(Near to the Tamilnadu Dr.MGR Medical
University) Chennai 600 032.

4.The Thasildar,
Sholinganallur Taluk,
Chennai 600 115.

5.K.Lakshmi Ammal,
W/o.Late Krishna Naicker.

6.K.Elumalai,
S/o.Late Krishna Naicker.

7.Mrs.Maheswari,
D/o.Late Krishna Naicker.

8.C.V.Ramaiah,

<https://hcservices.ecourts.gov.in/hcservices/>
S/o.C.A.Venkata Krishnan.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to conduct an enquiry and pass appropriate orders to transfer the patta in petitioner's name for the property viz., all the piece and parcel of the land situate at Sholinganallur Village, Tambaram Taluk, presently Sholinganallur Taluk, Kancheepuram District, comprised in Survey No.575/26, Present Survey No.575/26A and 576/26B admeasuring 32 cents (13 ares) and 575/3B2 admeasuring 15 Cents (6 ares) by considering the petitioner's representation dated 18.12.2019 within a time frame fixed by this Court.

For Petitioner : Mr.C.Kathiravan.

For Respondents : Mr.E.Balamurugan, for RR1 to 4
Special Government Pleader.

ORDER

This writ petition has been filed for the issue of Writ of Mandamus directing the 3rd respondent to consider the representation made by the petitioner on 18.12.2019 and to conduct the enquiry and pass orders within the time frame fixed by this Court.

2.The case of the petitioner is that the 4th respondent has issued a patta in favour of respondents 5 to 7 for an extent of 13 ares with respect to S.No.575/26A and 575/26B and for an extent of 6 ares with respect to S.No.575/3B2. According to the petitioner, they are the owners of this property and by mistake the patta has been granted for this property in favour of respondents 5 to 7. The petitioner has therefore made a representation before the 3rd respondent to cancel the patta and to grant it in favour of the petitioner.

3.The learned counsel appearing on behalf of respondents 5 to 7 submitted that a mistake was committed at the time of issuing the patta and these respondents have also made a representation to the 3rd respondent to grant patta for the correct property in the name of respondents 5 to 7. The learned counsel further submitted that the representation made by these respondents can also be taken into consideration by the 3rd respondent and appropriate correction can be made in the revenue records and fresh patta can be issued for the correct survey number to both the petitioner as well as respondents 5 to 7.

4.Taking into consideration the facts and circumstances of the case and also the specific stand that has been taken on behalf of the petitioner and respondents 5 to 7, there shall be a direction to the 3rd respondent to conduct an enquiry and pass appropriate orders strictly in accordance with the title documents and direct issuance of patta to the petitioner and respondents 5 to 7 for the correct survey

numbers. This process shall be completed within a period of six weeks from the date of receipt of copy of this order.

5. There shall be a direction to the petitioner and respondents 5 to 7 to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Asst. Registrar (CS)

/True Copy//

Sub Asst. Registrar

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To:

1. The District Collector,
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62, Rajaji Salai, Chennai.
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Chennai 600 032.
4. The Thasildar,
Sholinganallur Taluk,
Chennai 600 115.

+2CC to Mr.C.Kathiravan Advocate in SR.No.35518
+1cc to the Government Pleader in Sr.No.35632

W.P No.14542 of 2020

RGN(CO)
VC (19/12/2020)

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