

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.19041 of 2020

T.V.Nagar Industrial Estate Owner's Association,
(Regn.No.195 of 2014)
Rep.by its President
M.S.Venkatesan
Plot No.3, T.V.Nagar, Mugalivakkam,
Chennai - 600 089.

...Petitioner

Vs.

1. The Commissioner,
Greater Corporation of Chennai,
Ripon Building, Chennai - 600 003.
2. The Tashildar,
Alandur Taluk,
Chennai - 600 016.
3. The Revenue Inspector,
Mugalivakkam, Chennai - 600 089.
4. The Village Administrative Officer,
Mugalivakkam, Chennai - 600 089.
5. K.Ramachandran,
S/o.(Late)T.Kannan,
Plot No.4, Door No.1/349,
Vinayagapuram, Mugalivakkam,
Chennai 600 116.
6. K.Parthiban,
S/o.(Late)T.Kannan,
Plot No.2, Kamaraj Street,
Mahalakshmi Nagar,
Selaiyur, Chennai 600 073.

7. G.Thirumurthy,
S/o.A.Ganapathy,
No.2/150, Perumal Koil Street,
Mugalivakkam, Chennai 600 125.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 2 to 4 to not to issue patta to the 7th respondent or to anyone in respect of the property, situated at Plot No.2 T.V.Nagar Layout, T.V.Nagar Road, Chennai District, more fully described in the schedule to the petition.

For Petitioner : Mr.R.Prabhakaran

For Respondents: Ms.P.T.Ramadevi

Standing Counsel

[For R1]

Mr.Annai Ezhil

Government Advocate

[For R2, R3 & R4]

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents 2 to 4 not to entertain any application seeking for patta from the private respondents with respect to the subject property without considering the objections made by the petitioner association on 03.11.2020 and 24.11.2020.

2. Heard Mr.R.Prabhakaran, learned counsel for the petitioner; Ms.P.T.Ramadevi, learned Standing Counsel for R1 and Mr.Annai Ezhil, learned Government Advocate for R2, R3 and R4.

3. The case of the petitioner is that the brother of the fourth and fifth respondents sold the entire property by way of house site plots in a layout named as T.V.Nagar. The grievance of the petitioner association is that during October 2020, the private respondents along with some henchmen started blocking the pathway and obstructed the movement of the general public and they also damaged the road put up by the corporation. Immediately thereafter, a complaint was given and action was taken by removing the encroachment.

4. The petitioner association came to know that the private

respondents have managed to get a sale deed registered before the concerned sub-registrar on 20.12.2019 and have dealt with the pathway which was shown to be a pathway even in the approved layout. Aggrieved by the same, the petitioner association gave a complaint to the respondents 2 to 4 on 03.11.2020 not to grant any patta in favour of the private respondents.

5. Mr. Annai Ezhil, learned Government Advocate appearing on behalf of the respondents 2 to 4 submitted that the second respondent has already called the parties for enquiry on 23.12.2020 at 11.00 A.M. The learned counsel further submitted that the representatives of the petitioner association can be present at the time of enquiry along with all the relevant documents.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the second respondent has already called the parties for enquiry, there shall be a direction to the second respondent to proceed further after affording opportunity to the petitioner and respondents 5 to 7 and pass final orders strictly in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pgp/sai

To

1. The Commissioner,
Greater Corporation of Chennai,
Ripon Building, Chennai - 600 003.
2. The Tashildar,
Alandur Taluk,
Chennai - 600 016.
3. The Revenue Inspector,
Mugalivakkam, Chennai - 600 089.

4. The Village Administrative Officer,
Mugalivakkam, Chennai - 600 089.

+2cc to Mr.R.Prabhakaran, Advocate, SR41756
+1cc to Ms.P.T.Ramadevi, Advocate, SR42185
+1cc to The Government Pleader, SR41974

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CO (AD)
BDL/07/01/2021



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