



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2021

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.1726 of 2010

Aminjikaiarai Mosque and Burial Ground Committee
Rep. by its Secretary,
T.A.Sheik Mohammed,
No.25/35, Lakshmi Talkies Road,
Shenoy Nagar,
Chennai 600 030

...Petitioner

Vs

1. The Secretary to Government,
Revenue Department,
Fort, Chennai 600 009
2. The District Collector,
District Collector Office,
Chennai 600 001
3. The Commissioner of Land Administration,
Chepauk, Chennai 600 005
4. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai 600 034
5. The Tahsildar,
Egmore-Nungambakkam Taluk,
Chennai 600 031
6. The Chief Trustee,
Arulmigu Ekambareswarar Temple,
Aminjikaiarai,
Chennai 600 029

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 5 to transfer the patta in respect of the property measuring an extent of 8 ½ cents bearing survey No.70/5, Block No.25, T.S.No.73, Old Door No.171/1, New Door No.503/293, EVR Periyar High Road, Aminjikaiarai, Chennai 600 029 stands in the name of the sixth respondent to petitioner's name.

For Petitioner : Mr.S.Haja Mohideen Gisthi



For Respondents

For R1 to 5 : Mr. Richardson Wilson
Government Advocate

For R6 : No appearance

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ORDER

This Writ Petition is filed to issue a writ of mandamus directing the respondents 1 to 5 to transfer the patta in respect of the property measuring an extent of 8 ½ cents bearing survey No.70/5, Block No.25, T.S.No.73, Old Door No.171/1, New Door No.503/293, EVR Periyar High Road, Aminjikarai, Chennai 600 029 stands in the name of the sixth respondent to petitioner's name.

2. The petitioner claims the subject property by the judgment delivered by this Court in AS.No.522 of 1971. That apart, the petitioner requested the revenue officials to transfer the patta stands in the name of the sixth respondent herein. On receipt of the same, the second respondent by the communication dated 13.10.2008 to the fifth respondent, thereby directed to send remarks in respect of issuance of patta for the subject property. Even then, the respondents did not take any steps to issue patta and as such the writ petitioner filed this writ petition for directing the respondents to transfer patta in respect of the subject property in favour of the petitioner.

3. Considering the above, the second respondent is directed to conduct enquiry on the request made by the petitioner after issuing notice to the counter parties, if any, i.e. the sixth respondent and others and after giving them opportunity of hearing and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Revenue Department,
Fort, Chennai 600 009
2. The District Collector,
District Collector Office,
Chennai 600 001
3. The Commissioner of Land Administration,
Chepauk, Chennai 600 005
4. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai 600 034
5. The Tahsildar,
Egmore-Nungambakkam Taluk,
Chennai 600 031
6. The Chief Trustee,
Arulmigu Ekambareswarar Temple,
Aminjikarai,
Chennai 600 029

+1CC to Government Pleader, SR.No.41108/21

WP.No.1726 of 2010

RLD (CO)
K.RK.(20.09.2021)