



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.3151 of 2021

1. Diocese of Chengalpet Society,
represented by its Vicar General
Rev. Fr. Backiya Regis

2. Mazhai Malai Madha Arulthalam,
represented by its Priest
Rev. Fr. R. Leo Edwin

... Petitioners

Vs.

1. The Government of Tamil Nadu,
rep. By its Secretary to Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Land Administration,
Ezhilagam, Chempauk,
Chennai-600 005.
3. The District Collector,
Chengalpattu Dt.
4. The Revenue Divisional Officer
Madurantakam Revenue Division,
Chengalpattu Dt.
5. Tahsildar,
Madurantakam Taluk,
Chengalpattu Dt.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to assign the lands comprised in S.No.45/4 and S.No.46/3, situated in Pallipettai Village, Madurantakam Taluk, Chengalpattu District under the Standing Orders of the Board of Revenue to the petitioner Religious Institution in exchange of valuable patta land offered by the petitioner comprised in S.No.4/3A, 174/1B, 174/3B in Anaikundram Village, Madurantakam Taluk, in the light of the



proposal No.63441/2002.A3 dated 11.10.2002 issued by the 2nd respondent to the 1st respondent by considering the petitioner representation dated 17.09.2003, 21.03.2006, 05.08.2010, 24.07.2012, 10.12.2012, 01.12.2014, 05.02.2018 and 05.03.2020 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.K.V.Muthuvisakan

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R5

O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction directing the 1st respondent to assign the lands comprised in Survey No.45/1 and 46/3 under the standing orders of Board of Revenue to the petitioner religious institution in exchange of valuable patta land offered by the petitioner in Survey No.4/3A, 174/1B, 174/3B in the light of proposal issued by the 2nd respondent to the 1st respondent by considering petitioners' representations within the time stipulated by this court.

2. According to the petitioners, they are in possession and enjoyment of property comprised in Survey No. 45/4 and 46/3 situated in Pallipettai Village, Madurantakam Taluk, Chengalpattu District from the year 1960 and constructed a religious institution therein. As the land has been classified as Government poramboke land, the petitioners have offered an alternative patta lands in Survey No. 4/3A, 174/1B and 174/3B in Anaikundram Village, Madurantakam Taluk and sought permission for exchange and that application is pending for a long time. Hence, the present Writ Petition has been filed by the petitioners to consider their representation.

3. Earlier, notice ordered to the respondents. Today, when the matter taken up for hearing, Mr. Yogesh Kannadasan, learned Government Advocate appearing for respondents, on instructions, would submit that, based on the petitioners' representation, a proposal has been received from the 4th respondent Revenue Divisional Officer, Maduranthakam and the same has been forwarded to the 2nd respondent Commissioner of Land Administration on 11.06.2021 vide proceeding in Na.Ka. No.27242/2010/Aa2 and now the matter is pending with the 2nd respondent. He has also produced the copy of the proceedings before this Court. Hence, the 2nd respondent may be directed to consider the petitioners' representation and pass suitable orders within a time to be fixed by this court.



4. Considering the above circumstances, now the matter is pending with the 2nd respondent Commissioner of Land Administration, the 2nd respondent is directed to consider the petitioners' representation and to pass suitable orders on merits in accordance with law after hearing the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.
3. The District Collector,
Chengalpattu Dt.
4. The Revenue Divisional Officer
Maduranthakam Revenue Division,
Chengalpattu Dt.
5. Tahsildar,
Maduranthakam Taluk,
Chengalpattu Dt.

+2cc to Mr.K.V.Muthuvisakan, Advocate, S.R.No.35121
+1cc to the Government Pleader, S.R.No.35325

W.P.No.3151 of 2021

GPL(CO)
CB(18/08/2021)