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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.Nos.23581 of 2013 & 14936 of 2020
and

W.M.P. Nos.1 of 2013 and 18568 & 18572 of 2020

K. Satyanarayana

... Petitioner
(in Both W.P.Nos.)

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Revenue Divisional Officer,
Tambaram, Chennai.
3. The Tahsildar,
Alandur Taluk,
Alandur, Chennai.

4. M. Gokulakrishnan

.... Respondents
(In W.P. No.23581 of 2013)

1. The District Collector,
Presently Chenglepet District,
(Formerly Kancheepuram District,) District Collectorate, G.S.T. Road, Chenglepet - 603 001.
2. The Revenue Divisional Officer,
Tambaram Taluk Office Complex,
1st Floor, GST Road,
Tambaram West, Chennai - 600 045.
3. The Tahsildar,
Presently Pallavaram Taluk,
(Formerly Alandur Taluk)
Pallavaram, Chennai - 600 044.

...Respondents
(In W.P. No.14936 of 2020)



Prayer in W.P.No.23581 of 2013:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 3 to consider the representations dated 16.11.2012 and 04.06.2013 for grant of lease in respect of property bearing No.1/21, GST Road, St. Thomas Mount, Chennai, comprised in Survey No.1467 measuring an extent of 1.91 acres of land within a time frame fixed by this Hon'ble Court forthwith and pass orders accordingly.

Prayer in W.P.No.14936 of 2020:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent and quash the impugned order in Na.Ka.1369/2020/A1 dated 05.09.2020 passed by the 3rd respondent rejecting petitioner's statement dated 05.09.2020 with regard to grant of lease as the same is perverse, arbitrary, illegal, untenable, smacks of malafide and colourable exercise of power and consequently, direct the Respondents 1 to 3 to grant of lease based on the petitioner's statement dated 05.09.2020 and representations dated 16.11.2012, 10.12.2012 and 04.06.2013 pertaining to land measuring 58 cents from and out of the lands measuring 1.91 acres bearing No.1/21, GST Road, St. Thomas Mount Village, formerly Alandur Taluk, presently Pallavaram Taluk, formerly Kancheepuram District, presently Chenglepet District and pass orders accordingly.

For Petitioner : Mr.S.L. Sudarsanam
(In both W.P.Nos)
For Respondents 1 to 3 : Mr.K.M.D. Muhilan
(Government Advocate)
(In both W.P.Nos)

C O M M O N O R D E R

The petitioner has filed these Writ petitions directing the Respondents 1 to 3 to consider the representations dated 16.11.2012 and 04.06.2013 for grant of lease in respect of property bearing No.1/21, GST Road, St. Thomas Mount, Chennai, comprised in Survey No.1467 measuring an extent of 1.91 acres of land within a time frame as fixed by this Court forthwith and calling for the records of the 3rd respondent and quash the impugned order in Na.Ka.1369/2020/A1 dated 05.09.2020 passed by the 3rd respondent rejecting petitioner's statement dated 05.09.2020 with regard to grant of lease as the same is perverse, arbitrary, illegal, untenable, smacks of malafide and colourable exercise of power and consequently, direct the Respondents 1 to 3 to grant of lease based on the petitioner's statement dated 05.09.2020 and representations dated 16.11.2012, 10.12.2012 and 04.06.2013 pertaining to land measuring 58 cents



from and out of the lands measuring 1.91 acres bearing No.1/21, GST Road, St. Thomas Mount Village, formerly Alandur Taluk, presently Pallavaram Taluk, formerly Kancheepuram District, presently Chenglepet District and pass orders accordingly.

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2.The learned counsel for the petitioner would submit that the petitioner is the lease holder of the property bearing No.1/21, GST Road, St. Thomas Mount, Chennai, comprised in Survey No.1467 Paimash No.150, situated at Adambakkam, St. Thomas Mount, Cantonment Area, Saidapet, Chennai, originally measuring an extent of 1.91 acres. The petitioner acquired the above said property of superstructure along with leasehold right under a Sale Deed dated 8-11-1958 registered as Document No.2461 of 1958 on the file of Sub Registrar, Saidapet. The property originally was leased out by Governor of Madras vested with the Government of Tamilnadu in the year 1959 in favour of P.K.Seshagiri Rao. Thereafter the said P.K.Seshagiri Rao sold the leasehold right in petitioner's favour in aforesaid manner. Thereafter, the petitioner is in absolute possession and enjoyment of the same without any interruption. Further, the petitioner's father's name viz., Mr.K.Satyendra Kumar's entry is available in the Revenue Records of the year 1955 to 1959 maintained by the Cantonment Board to show that the petitioner is in possession of the property.

3. It has been further submitted that the petitioner is continuously requesting the Respondents for assignment/grant lease in respect of the property as referred above. However the Respondents have never taken any favourable steps to consideration the requisition of the petitioner herein. Hence, the petitioner filed a Writ Petition before this Hon'ble Court in W.P.No.5231 of 1979 and by order dated 21.2.1986 and the same was ordered directing the Respondents therein to take a policy decision regarding the grant of lease/ assignment by the Respondents herein and this Hon'ble Court had also recommended for grant of Patta in the petitioner's favour. This Hon'ble Court was pleased to allow the writ petition directing the Collector of Chengalput to get consent from the petitioner herein for granting assignment after ascertaining the market value therein. Based on the said order, the petitioner had given his willingness to purchase the land. In this regard, the petitioner had made several representations requesting the authorities to assign the land based on the order of this Hon'ble Court. There have been recommendations by the Revenue officials to the 1st Respondent stating that assignment can be given to the petitioner herein. While being so, the petitioner had sent a representation on 16-11-2012 to the Respondents 1 to 3 stating that the Government should consider the request for Assignment / Lease in his favour in view of the rights established by him by way of documents. The Respondents duly



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acknowledged the said letter but no action was taken. Thereafter, the petitioner sent another representation dated 10.12.2012 asking for granting of long-time Lease in respect of the property. In reply to the representation of the petitioner, he had received a communication dated 21.02.2013 from the 2nd Respondent addressing to the 3rd Respondent with a copy marked to him directing the 3rd Respondent to consider his representation by conducting enquiry and to submit a report to the 2nd Respondent. After the receipt of the said communication, no action was taken up by the 3rd Respondent and therefore the petitioner had sent another communication on 04.06.2013 to the Respondents requesting them to pass a suitable order on his representation for granting of long lease in his favour. As there is no action taken on his representation and there has been inordinate delay by the authorities to consider his representation for grant of long lease in respect of the property bearing No.1/21, GST Road, St.Thomas Mount, Chennai, comprised in Survey No.1467 Paimash No.150, situated at Adambakkam, St.Thomas Mount, Cantonment Area, Saldapet, Chennai measuring an extent of 1.91 acres, the petitioner has filed a writ petition in W.P.No.23581 of 2013 before this Hon'ble Court seeking appropriate directions to the Respondents therein. The said writ petition is still pending before this Hon'ble Court. Pending the above writ petition No.23581 of 2013, the present Pallavaram Taluk has been established and the said St.Thomas Mount village comes within the ambit of the said Pallavaram Taluk, i.e., the 3rd Respondent herein from 16.11.2012 onwards. The above writ petition came up for several hearings right from January 2013 onwards i.e., 26.08.2013, 23.09.2013, 09.01.2020, 04.02.2020, 12.03.2020, 24.07.2020, 08.09.2020, 15.09.2020, 24.09.2020, 18.08.2020, and 02.09.2020, 29.09.2020. The Respondents took time for filing counter. Now the case is posted on 13.10.2020 for filing counter. In the meanwhile, the 3rd Respondent on 04.09.2020 at about 8 PM had telephoned the petitioner asking him to appear for enquiry on 05.09.2020 (Saturday). Under the said circumstances, on 05.09.2020 the petitioner appeared in person before the 3rd Respondent and submitted a detailed statement by describing all the aspects and along with relevant documents in the enquiry pursuant to telephone call dated 04.09.2020. The entire statement along with relevant documents (spiral binding) was submitted by the petitioner on 05.09.2020 post lunch session wherein it was informed during the hearing that the statement would be recorded and along with statement and remarks with documents will be sent to the 2nd Respondent for appropriate orders. As such, there was no impediment for 3rd Respondent in considering the request of the petitioner. However, on the very same day itself, the 3rd Respondent herein for reasons not known, by his impugned order in Na.Ka.1369/2020/A1 dated 05.09.2020 on erroneous grounds has rejected the request of the petitioner, which was received



through Registered Post on 08.09.2020.

4. The learned counsel for the petitioner would submit that The 3rd Respondent has no powers to pass an order of rejection concerning the grant of lease and it is only the 1 Respondent who competent authority to pass such orders. A direction was issued by this Hon'ble Court to the 1st Respondent who competent authority to consider and pass appropriate orders regarding the Petitioner's representation which is already submitted and therefore the 3rd Respondent's impugned order dated. 05.09.2020 is non-est in eye of law.

5. It has been further submitted that the 3rd Respondent i.e., the Tahsildar, Pallavaram has erred in rejecting the request of the Petitioner. The reasons assigned by the 3rd Respondent for passing the impugned order are factually and legally unsustainable. The 3rd Respondent has not considered the documents produced by the Petitioner. Further, the Petitioner has filed W.P.No.23581 of 2013 before the Hon'ble High Court of Madras, which is pending from the year 2013 onwards against the Respondents herein to consider the representations. However, the 3rd Respondent herein in a hurried manner passed the impugned order without appreciating the pending writ petition proceedings. The reasons given now by the 3rd Respondent is totally incorrect and liable to be set aside. The 3rd Respondent has no powers to pass an order regarding the grant of lease and in this instant case, the enquiry was conducted and at the time of enquiry, the Petitioner had submitted the entire documents in spiral binding and Tahsildar had informed after recording the statement of the Petitioner, he would send it to the 2nd Respondent along with remarks, however on the same day, orders were passed by rejecting the claim of the Petitioner. It is total non application of mind and therefore the order is liable to be set aside.

6. The learned counsel for the petitioner would further submit that the 3rd Respondent had not followed the direction given by the R.D.O. in letter dated 21.2.2013 which had directed the 3rd Respondent to conduct enquiry and send report to R.D.O. for passing orders. This was not followed and without application of mind an order has been passed hurriedly which is liable to be set aside. Aggrieved against the same, the petitioner has preferred the present writ petition against the impugned order dated 05.09.2020 in Na.Ka.No. 1369/2020/A1 passed by the 3rd Respondent, pending disposal of main writ petition.

7. The learned Government Advocate appearing for the respondents would submit that the said land in S.No.1467 of St. Thomas Mount Village measuring an extent of 1 Acre and 39605 Sq.ft in the Cantonment area of St.Thomas Mount was held on long



term lease from the East India Company. Subsequently, a portion of land measuring 10248 Sq.ft was transferred to Highways Department for re-alignment of the then Grand Trunk Road, which is now named as Grand Southern Trunk Road. The remaining extent of 1 Acre and 29357 Sq.ft covered by S.No.1467/2 is a Government poramboke land classified as time expired lease land and belongs to State Government. The period of lease expired on 20.11.1939 and the Government in their orders in G.O.Ms No 387, Revenue dated 25.01.1957 sanctioned the renewal of lease for a further period of 20 years from 20.11.1939. The lessee Thiru Seshagiri Rao ought to have surrendered possession of the property on 20.11.1959 itself, the date on which the lease expired as per Condition No. XXX of the lease deed. But by violating the aforesaid condition apart from certain other condition also in the lease deed, Thiru.P.K. Seshagiri Rao transferred the lease hold right without getting any approval from the Government to the writ petitioner as per sale deed No.2461/1958, dated.08.11.1958 on the file of the Sub-Registrar, Saidapet. Hence the purchase of the lease land vested with the Government by the writ petitioner itself is illegal and the sale itself was null and void as per Condition No. (IV) (2) of the lease deed.

8.It is also submitted by the learned Government Advocate that having purchased the lease hold right illegally and unlawfully, the petitioner approached the Hon'ble High Court, and filed W.P.No.5231 of 1979 for granting assignment of the land in his favour by challenging the order to the Government in Government Letter No.43048/M1/75-28 dated.04.09.1979 for resumption of land. This Court in its order dated 21.02.1986 has allowed the writ petition and advised the Government to take a policy decision in such matters and to apply the same yardstick in respect of all similarly placed persons in a manner known to law. At the same time, the Hon'ble High Court did not specifically direct the authorities concerned to the grant of patta to the petitioner. Hence, the contentions of the petitioner is not true and liable to be dismissed.

9. It has been further submitted that the further representations given by the petitioner for the grant of assignment was not taken up for consideration, since the Government with a view to adopt a uniform policy in deciding the Lease Expired land have passed an order in G.O.(Rt) No.557, Revenue Department dated.7.9.1994 and according to Para 3(1) of the aforesaid order, in case of the lands which were already ordered to be resumed in favour of the Government, appropriate action for resumption should be initiated by District Collector. In view of the aforesaid policy decision taken by the Government, the representations given by the petitioner were not considered. Subsequently the petitioner again approached the Hon'ble High Court and filed W.P.No.19464 of 2005, with a prayer



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to assign the property measuring 1 acre and 29357 sq.ft comprised in S.No.1467 of St. Thomas Mount Village on collection of land value. This Court by its order dated.22.06.2005 in W.P.No.19464/2005 has dismissed the writ petition after observing as follows:

"I have carefully considered the submission made by the counsels appearing for either side. The direction issued in the earlier order of this Court to consider the report of the petitioner for assignment of the land on payment of market value is applicable only if they want to assign the property. Since in the instant case, the Government have decided to give the land for constructing Government official buildings, this Court cannot compel the respondents to assign the impugned land to the petitioner on payment of market value."

Aggrieved by this, the petitioner filed W.A.No. 1523/2005 before this Court challenging the orders of this Court dated.22.06.2005 made in 19464 of 2005. The Writ Appeal was also dismissed on 09.01.2008 by duly confirming the orders of the Hon'ble Court in the writ petition.

10. The learned Government Advocate has further submitted that the petitioner conveniently concealed the aforesaid orders of the Hon'ble High Court in W.P.No, 19464/2005 and W.A.No. 1523/2005 and has again made attempts to grab the subject land by changing his request from getting assignment to get lease of the land by claiming that he holding the lease hold rights of the land from 1839 to 1959. It is pertinent to note that Thiru Seshagiri Rao was alone the lease holder of the land till 22.11.1959 and on the expiry of the lease, the lease holder ought to have surrendered the possession of the land to the Government. But the lease holder clandestinely transferred the lease hold right to the petitioner by way of a sale deed in the year 1958, without getting any approval from the Government and the transaction having been done behind the back of the Government. This illegal transaction by violation of lease condition has rendered the aforesaid sale as null and void. However, the petitioner continued to possess the land illegally and entered a rental agreement with Tv.Century Motors (P) Ltd for a period up to 20.03.2008. Subsequently the land was brought to sale by Debts Recovery Tribunal due to the non payment of loan obtained from the Indian overseas Bank by Tvl.Century Motor (P) Ltd and in the auction sale, on 19.04.2007, one P.K.Peermohammed the highest bidder purchased the Lease hold right. The P.K.Peermohammed sold the lease hold right in favour of one M/s A.K.R. viyaprar limited and Thiru M.Gokulakrishnan purchased the Lease hold right on 31..3.2010 from above person. A third person has become the auction purchaser of the land and



there emanated a legal dispute between the petitioner and the auction purchaser and the Kancheepuram District Revenue officer had sent Letter in his Re No Re9640/2020/N2, dt 6.11.2005 to Recovery Officer Debts Recovery Tribunal-1 Chennai-2 reads as The land Survey No. 1467/2 measuring 1 acre and 29357 Sq feet is a Government poramboke land classified as time expired lease land in the revenue accounts of St Thomas Mount Village, Alandur Taluk and belongs to the state Government. The land was originally leased by the Government to one Thiru.P.K.Seshagiri Rao for a period up to 20.1.1959. On completion of the lease period the above lessee should have surrendered possession of the property to the Government instead he transferred the lease hold rights in favour of Thiru.Sathya- narayana moorthy during 1958 without getting any approval from the Government. Further Thiru.Sathyanarayana Moorthy had let out the premises to M/s.Century Motors private Ltd without the consent of the Government. The Government, has not conferred any lease hold rights to M/s Century Motors private Ltd. So, the Century Motors private Ltd is only an encroacher on the Government land and the loans obtained by the company by pledging the government land is quite illegal. It is therefore requested the Recovery officer, Debts Recovery Tribunal-1, Chennai -2 to stop the public suction of the government land in survey no. 1467 measuring 1 acre and 29,357 sqft.of St.Thomas Mount Village."

11. It is further submitted that in view of these illegal activities, and disputes between the petitioner and various persons, as of now an extent of 35283 Sq.ft of land is under use by the Regional Transport office and the remaining 29,357 Sq.ft of the land is under the possession to one Thiru Gokula krishnan, and the said Thiru Gokula Krishnan has leased out the land to a private hotel by name and style Tvl. Hotel Saravana Bhavan. The petitioner being an unlawful occupant of the Valuable Government land had illegally sub-leased the land to third parties for pecuniary benefits and upon his failure to hold the possession of the land, he made attempts to grab the land on one way through getting the land by way of assignment and another way to get the land through lease. He has utilized the land according to his whims and fancies.

12.It is further submitted that the spot inspection and the enquiry conducted by the Tahsildar, Pallavaram clearly revealed that the petitioner is not in occupation and enjoyment of even a bit of land in S.No.1467 of St. Thomas Mount Village and the land having been illegally occupied by one Thiru.Gopala krishnan, who has also illegally leased out the land to a private hotel by name and style The Hotel Saravana Bhavan".

13. It has been further submitted that in the year 1958, the petitioner took unlawful possession of the land through a sale



deed and sub-let the land for his personal gain by cheating the Government. When his attempt to grab the land by applying for assignment was failed, he has now come up with a novel idea of grabbing the land by way of lease. From the year 1958 to till date, the petitioner has not utilized the land for genuine purpose and he utilized the land by letting it to third persons for his own personal gain according to his whims and fancies and if his request for lease of the land is conceded, he will try to grab the valuable land under the guise of lease and will utilize it for rent to third persons and thereby will earn money by way of rent. As of now only 58 cents of land in S.No.1467/2 is left out and the remaining land is already under the control of Transport Department and the Regional Transport Office, Meenambakkam is functioning there. Even the left out extent of 58 cents of land is under the illegal occupation of one Thiru Gokula Krishnan, who has rented this land to Hotel Saravana Bhavan and the said hotel is functioning in the aforesaid 58 cents land for the past five years. Thus, it is clear that the petitioner has no locus standi to claim for the grant of lease of 58 cent of land in S.No. 1467 of St. Thomas Mount Village, since he is not in enjoyment and possession of the land. He is also not entitled to claim lease of the land as a matter of right.

14.It is further submitted that previous activities of the petitioner, during his unlawful occupation of the land from 1958 to 2008 also found unacceptable, since he utilized the land purely for rental purpose and thereby gained monetary profit over the property, which is clearly vested with the Government. In view of the continuous legal wrangles created by him, the entire extent of 1.91 Acres could not be utilized by the Government for their own use and only an extent of 38768 Sq.ft of land has alone been given to the Transport Department and the Regional Transport Office is now functioning there. In the meantime Thiru.M.Gokulakrishnan has filed the suit in O.S.No.912 of 2012 before the Additional District Munsif Court, Alandur, against the Collector Kanchepuram(D-1), Cantonment Executive Officer (D2), The R.T.O., Meenambakkam from interfering with his possession and enjoyment of the suit property of an extent of 29357 Sq.ft and the suit is still pending. In the meanwhile, the Additional District Munsif Court, Alandur has passed an order dated 02.07.2013 in I.A.No.1935/2012 partly allowed the petition restraining the respondents from interfering with the possession and enjoyment of the built up portion of the suit property. The respondent in the O.S.No.912 of 2012 are free to proceed with the eviction of the petitioner only by adopting the procedure established by law. Thiru.M.Gokulakrishnan preferred CRP(PD)No.3087 of 2013, praying to set aside the order in so far as it relates to rejection of 89 cents out of 1 acre 29357 Sq.ft. comprised in S.No.1467/2 in St. Thomas Mount Village,



Pallavaram Taluk passed in I.A. No. 1935 of 2012 in O.S.No.912 of 2012, on the file of the Additional District Munsif Court, Alandur. This Court by its order dated 09.10.2013 granted interim stay and made it absolute by order dated 13.09.2017. The remaining 34149 Sq.ft of land is under the illegal occupation of one Thiru.Gokula Krishnan, which also will be required by the Government for occupation by some other departments in future. Therefore, the petitioner never be the absolute owner of the land.

15. It is also submitted that Counter affidavit has been filed by the respondents in the case in W.P.No.23181 of 2013 filed by the petitioner. Though the W.P.No.23581 of 2013 filed by the petitioner before the Hon'ble Court is pending, the petitioner has often and often preferring representations to the respondents on the same prayer and hence, he was enquired by the 3rd respondent on 05.09.2020 and he was given a reply to the effect that his application for grant of lease could not be entertained by the 3rd respondent on 05.09.2020. Subsequent to the receipt of reply from the 3rd respondent, the petitioner filed an appeal dated.03.10.2020 against the same before this respondent which was received by this respondent on 06.10.2020 and an enquiry over the appeal petition is posted by this respondent on 27.11.2020 However, without exhausting the aforesaid appeal remedy, the petitioner has hurriedly filed the Writ Petition, purely with an ill-motive of grabbing the valuable Government land.

16. It has been further submitted that an earlier W.P.No.5231 of 1979 filed by the petitioner, this Court has allowed the Writ Petition by advising the Government to take a policy decision in such matters and to apply the same yardstick in respect of all similarly placed persons in a manner known to law. When the petitioner again approached this Court and filed W.P. No. 19464 of 2005, with a prayer to assign the subject land on collection of market value, the same was dismissed on 22.06.2005 by observing that the assignment of land on payment of market value is applicable only if they want to assign the property. Hence the contention of the petitioner is not true and liable to be dismissed.

17. It is further submitted at the prayer in the W.P.No.23581 of 2013 is to direct the respondents 1 to 3 therein, to consider the representations of the petitioner for the grant lease of the subject property. Apart from filing the aforesaid Writ Petition, the petitioner again sent representation dated 29.01.2018 to the respondents, reiterating his request. The prayer raised by the petitioner in W.P.No. 23581 of 2013 before this Court coupled with his subsequent representation dated 29.01.2018, compelled the 3rd respondent to



direct the petitioner to attend the enquiry on 05.09.2020 and resulted in the consequential communication dated.05.09.2020 furnished to the Petitioner. The communication sent by the 3rd respondent is according to law only and through the aforesaid communication, the 3rd respondent has only stated that the application of the petitioner cannot be entertained. AS the 3rd respondent sent the communication after going through the facts and circumstances of the records / documents produced by the petitioner. Further, the petitioner had already filed an appeal before this respondent challenging the order of the 3rd respondent dated.05.09.2020 and personal enquiry on the appeal has been posted by this respondent on 27.11.2020 and during the pendency of the aforesaid appeal, the petitioner has wantonly filed the present Writ Petition before the Hon'ble Court, without exhausting the appeal remedy and as such, it is clearly of evident that the petitioner is attempting to fish in the troubled waters, by filing appeal petition before this respondent on the one hand and by filing the present Writ Petition before this Court on the other hand. In the present Writ Petition, the petitioner has prayed to quash the orders in Na Ka.1369/2020/A1, dated 05.09.2020 passed by the 3rd respondent and consequently to direct the respondents 1 to 3 to grant lease of the land measuring 58 cents in S.No.1467 of St. Thomas Mount Village, Pallavaram Taluk. Though the Petitioner has contended that he has not filed any similar Petition for the relief sought for by him, the earlier W.P.23581 of 2013 filed by him purely relates to the grant of lease of the subject land, which is pending. Thus it is clearly evident that the Writ Petitioner has wantonly concealed the prayer in the earlier W.P.No.25381/2013 and thereby attempting to gain sympathy from the Hon'ble Court. Hence, as the petitioner was never holding lease hold rights of the land in S. No. 1467 of St.Thomas Mount Village and he clandestinely purchased the subject land from the erstwhile lease holder, whose lease period also already expired prior to the execution of sale deed and at the time of execution of the aforesaid sale deed, the rights and title of the land vests with the Government alone, the Writ petition is liable to be dismissed.

18. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 as well as perused the material available on records.

19. Having considered the facts and circumstances of the case and submissions made by the learned counsel for both sides, this Court is of the view that the petitioner has filed the Writ petition in W.P. No.14936 of 2020 without exhausting remedy on his appeal dated 03.10.2020 against the order of the 3rd respondent herein. However, the petitioner prays that the respondents may be directed to consider his representations



dated 16.11.2012 and 04.06.2013 and to pass appropriate orders on his appeal pending before the 2nd respondent. Hence, without expressing any opinion on the merits of the case, the respondents are directed to pass appropriate orders on his appeal after considering his representations within a period of six months from the date of receipt of copy of this order in accordance with law after giving sufficient opportunity to the petitioner.

20. The writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to Costs.

Sd/-

Assistant Registrar(CS-IX)

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Sub Assistant Registrar

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Revenue Divisional Officer,
Tambaram, Chennai.
3. The Tahsildar,
Alandur Taluk,
Alandur, Chennai.
4. The District Collector,
Presently Chenglepet District,
(Formerly Kancheepuram District,)
District Collectorate, G.S.T. Road,
Cheglepet - 603 001.
5. The Revenue Divisional Officer,
Tambaram Taluk Office Complex,
1st Floor, GST Road,
Tambaram West, Chennai - 600 045.
6. The Tahsildar,
Presently Pallavaram Taluk,
(Formerly Alandur Taluk)
Pallavaram, Chennai - 600 044.



+2cc to Mr.S.L.Sudarsanam, Advocate, S.R.No.50211, 50212
+1cc to the Government Pleader, S.R.No.44554

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W.P.Nos.23581 of 2013 & 14936 of 2020
and
W.M.P. Nos.1 of 2013 and 18568 & 18572 of 2020