



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.02.2021

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.3053 of 2015
and
W.M.P.No.1 of 2015

Pon Cellapan
President,
karumbakkam Lake Water,
Irrigation Sangam,
Karumbakkam Village,
Cheyyur Taluk,
Kancheepuram District.

... Petitioner

Vs.

1. The District Collector,
Kachepuram District,
Kancheepuram.
2. The District Revenue Officer,
District Revenue Office,
Kancheepuram.
3. The Revenue Divisional Officer,
Maduranthakam,
Kancheepuram District.
4. The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.
5. Special Tahsildar,
Land Acquisition Unit 3
Ultra Mega Power Project,
Cheyyur, Kancheepuram District.
6. G.Subramani,
S/o.Ganabathi
7. K.Babu,
S/o.Kumaran

... Respondents

(R6 and R7- impleaded vide order dated 16.02.2021 made in
W.M.P.Nos.28136 of 2019 and 16911 of 2020 in W.P.No.3053 of 2015)



Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the fourth respondent to implement the order dated 22.09.2014 of the second respondent thereby issue revised patta infavour of the persons of the lands situated in No.54 Vedal Village, Cheyyur Taluk in Survey No.2 pursuant to as cited in the letter dated 16.08.2011 within the time frame fixed by this Court.

For Petitioner : P.Anbazhagan

For Respondents : M/s.A.Madhumathi
Additional Government Pleader
for R1 to R5

ORDER

The writ petition is filed for issuing a Writ of Mandamus, to direct the fourth respondent to implement the order of the second respondent dated 22.09.2014 and issue revised patta.

2.Instead of going into the facts in detail, based on the submissions of the counsels on either side, this Court is of the view that the writ petition can be disposed of without going into the disputed questions of facts.

3.The petitioner and others claim to be in possession of certain parts of lands and pray for issuance of patta in their favour in respect of the lands in which they are in possession. It is the case of petitioner that the villagers were allotted certain lands. It is stated that patta had been given to the beneficiaries for lands which are not in their enjoyment.

4.It is submitted before this Court that the petitioner claims revised patta as per their enjoyment. It is now admitted that the land had already been acquired by invoking the provisions of Tamil Nadu Acquisition of land for Industrial Purpose Act and it is also admitted that the petitioner and others claim compensation for the land and the matter is pending in L.A.O.P. No.3 of 2016 and other reference cases before the Sub-Court, Madhuranthagam.

5.This Court can see that the dispute is now relating to compensation and the issue is whether the petitioner and others are entitled to get compensation. Compensation will be determined by the competent Court and the Court can also decide the issue relating to title or enjoyment for awarding appropriate compensation.

6.Accordingly, the writ petition is disposed of with liberty being granted to the petitioner to establish his right or title



or to get compensation in the manner known to law from the Civil Court. No Costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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Copy to

1. The District Collector,
Kachepuram District,
Kancheepuram.
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4. The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.
5. Special Tahsildar,
Land Acquisition Unit 3
Ultra Mega Power Project,
Cheyyur, Kancheepuram District.

+1cc to P.Anbazhagan, Advocate, S.R.No.8981
+1cc to the Government Pleader, S.R.No.9189

W.P.No.3053 of 2015

JPL(CO)
HS(23/07/2021)