



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.No.540 of 2016

P.Parvathi (Deceased)

1. S.Srinithi
2. A.Lakshmi
3. S.Saraswathy
4. P.Nandhini
5. Minor P.Nethra rep.by her
mother and natural guardian P.Nandhini
6. S.Venkatasubramanian .. Appellants

-vs-

1. State of Tamil Nadu
rep.by the Secretary to Government
Revenue Department, Secretariat,
Fort St.George
Chennai 600 009
2. The Tahsildar
Mylapore-Triplicane Taluk
Mylapore
Chennai 600 004
3. M/s Kalakshetra Foundation
Kalakshetra Road
Besant Nagar
Chennai 600 090
4. The Union of India
rep by the Secretary to Government
Ministry of Culture
New Delhi 110 001 .. Respondents

Writ Petition filed under Article 226 of the constitution of India praying for the issuance of writ mandamus to direct the second respondent to sub-divide and demarcate the lands situate in T.S.No.1 in Block No.58 Tiruvanmiyur Village, chennai



district and issue a separate patta in respect of lands belonging to the petitioner admeasuring 21/.12 acres in old Survey No. 179/2 , in T.S.No.1 in Block No.58.Tiruvanmiyur Village, Chennai district. Appeal filed under Clause 15 of the Letters Patent, against the order dated 20.07.2012 made in W.P.No.36902 of 2007.

For Appellants :: Mr.R.Parthasarathy

For Respondents :: Mr.T.Arunkumar
Government Advocate for
R1 & R2
Mr.B.N.Suchindran for R3
Mr.N.Rajan
Central Government
Standing Counsel for R4

JUDGMENT

(Judgment of the Court was delivered by T.RAJA, J.)

This writ appeal has been directed against the impugned order passed by the learned single Judge, giving liberty to the writ petitioners, the appellants herein to approach the civil Court seeking for appropriate remedy viz., for getting a declaration of title to the property in dispute.

2. Since the appellants/writ petitioners filed the writ petition as if it is a title suit, the learned single Judge has rightly directed the writ petitioners, the appellants herein to approach the appropriate civil Court to establish their claim of title over the property in question. When the writ proceedings under Article 226 of the Constitution cannot be the remedy for getting such a relief, we are unable to find any merit in this appeal. Therefore, the writ appeal fails and it is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss

To



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1. The Secretary to Government
Revenue Department
Fort St.George
Chennai 600 009

2. The Tahsildar
Mylapore-Triplicane Taluk
Mylapore
Chennai 600 004

3. The Secretary to Government of India
Ministry of Culture
New Delhi 110 001

+1cc to the Government Pleader, S.R.No.32155

W.A.No.540 of 2016

RGN(CO)
SB(09/08/2021)