



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.18788,18792,18793,18796 & 18797 of 2021
(Through Video Conferencing)

- 1.Vellaisamy Shanmuga Sundaram,
... Petitioner in W.P.Nos. 18788,18792,18793 of 2021
- 2.Sumathi ... Petitioner in W.P.Nos.18796 & 18797 of 2021

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Secretariat,
Chennai-600 009.
2. The District Collector,
Kancheepuram.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008. ... Respondents in all W.Ps

Prayer in W.P.No.18788 of 2021: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to reconvey the lands of an extent of 1849 Sq.ft. in Plot No.2, Survey No.295/5B, Kattangulathur Village, Chengalpet Taluk, Kancheepuram District under Section 48-B of the Land Acquisition Act in favour of the petitioner.

Prayer in W.P.No.18792 of 2021: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents herein to reconvey the lands of an extent of 2500 Sq.ft. in Plot No.12, Survey No.292, Kattangulathur Village, Chengalpet Taluk, Kancheepuram District under Section 48-B of the Land Acquisition Act in favour of the petitioner.

Prayer in W.P.No.18793 of 2021: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to reconvey the lands



of an extent of 2700 Sq.ft. in Plot No.11 Survey No.292, Kattangulathur Village, Chengalpet Taluk, Kancheepuram District under Section 48-B of the Land Acquisition Act in favour of the petitioner.

Prayer in W.P.No.18796 of 2021: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to reconvey the lands of an extent of 2240 Sq.ft. in Plot No.4, Survey No.292, Kattangulathur Village, Chengalpet Taluk, Kancheepuram District under Section 48-B of the Land Acquisition Act in favour of the petitioner.

Prayer in W.P.No.18797 of 2021: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to reconvey the lands of an extent of 2900 Sq.ft. in Plot No.10, Survey No.10, Survey No.292, Kattangulathur Village, Chengalpet Taluk, Kancheepuram District under Section 48-B of the Land Acquisition Act in favour of the petitioner.

For Petitioners : Ms.AL.Ganthimathi
(In all W.Ps)

For Respondents :
(In all W.Ps)

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate

For R3 : Mr.Periakarupiah
Standing Counsel

COMMON ORDER

The petitioners appears to have purchased a property which was acquired by the Government of Tamil Nadu in the year 1973. It appears that the petitioners had obtained a clarification from the Special Tahsildar (Land Acquisition) on 13.07.2013 and purchased the property wherein it has clarified that the land that was purchased by the petitioners had not been acquired under the Land Acquisition Act, 1894.

2. However, after purchasing the property, where the petitioners approached the respondents for issuance of patta, the respondents have declined to issue patta on the ground that the land had already acquired by Madras Metropolitan Development Authority (MMDA) vide award dated 23.04.1980 pursuant to a notification issued under Section 4(1) of the Land Acquisition Act, 1894 on 23.10.1974.

3. Appearing on behalf of the first and second respondents, the learned counsel submits that the petitioner



should have obtained clarification from the Revenue Department also.

4. The petitioners appears to have sent representations to the respondents on 23.07.2021. Though a copy of the representations have not been filed along with the typed set of papers, this Court is inclined to dispose these writ petitions by directing the first respondent to consider the representations dated 23.07.2021 of the petitioners and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

5. Since the copy of the representations are not available in the file, the petitioners are also directed to file a copy of the same within a period of two weeks from the date of receipt of a copy of this order once again. The first respondent shall call upon the petitioners for hearing before passing such orders.

6. These Writ Petitions stand disposed of with the above observations. No costs.

Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

arb

To

1.The Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The District Collector,
Kancheepuram.

3.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

+2CCs to M/s.AL.Ganthimathi, Advocate, SR.No. 45617 & 45618
+1CC to The Government Pleader, SR.No. 46129

W.P.Nos.18788 of 2021

NR(CO)
B.VC (28/09/2021)