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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2021

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.19953, 19957, 19962, 19967 and 19974 of 2021

Setu	...	Petitioner in W.P.No.19953 of 2021
Venkatesan	...	Petitioner in W.P.No.19957 of 2021
Kathirvel	...	Petitioner in W.P.No.19962 of 2021
V.Komala	...	Petitioner in W.P.No.19967 of 2021
Vasanth	...	Petitioner in W.P.No.19974 of 2021

Vs

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Managing Director,
The Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai - 600 0035.
3. The Executive Engineer and
Administrative Officer,
K.K.Nagar Division,
Tamil Nadu Housing Board,
C-48, T.N.H.B. Commercial Complex,
Anna Nagar, 2nd Avenue,
Chennai - 600 040.
4. The Special Tahsildar,
Tamil Nadu Housing Board,
K.K.Nagar Division,
Chennai.



5. The Tahsildar,
Maduravoyal Taluk,
Gangayamman Koil Street,
Alappakkam,
Chennai - 600 116.

... Respondents in all W.Ps

Prayer in W.P.No.19953 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to consider the petitioner's application No.2021/0103/02/182044 dated 30.07.2021 and to issue the Patta to the petitioner for his property bearing Plot No.89, Sri Balavinayaga Nagar, Nerkundram Village, Maduravooyal Taluk, measuring to an extent of 1254 sq.ft, comprised in Survey No.324/1,2, Nerkundram Village, Maduravooyal Taluk, Thiruvallur District.

Prayer in W.P.No.19957 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to consider the petitioner's application No.2021/0103/02/182048 dated 30.07.2021 and to issue the Patta to the petitioner for his property bearing Plot No.78, Sri Balavinayaga Nagar, Nerkundram Village, Maduravooyal Taluk, measuring to an extent of 537 sq.ft, comprised in Northern side in Survey No.324/1,2, Nerkundram Village, Maduravooyal Taluk, Thiruvallur District.

Prayer in W.P.No.19962 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to consider the petitioner's application No.2021/0103/02/182042 dated 30.07.2021 and to issue the Patta to the petitioner for his property bearing Plot No.87, Sri Balavinayaga Nagar, Nerkundram Village, Maduravooyal Taluk, measuring to an extent of 638 sq.ft, comprised in Eastern in Survey No.324/1, Nerkundram Village, Maduravooyal Taluk, Thiruvallur District.

Prayer in W.P.No.19967 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to consider the petitioner's application No.2021/0103/02/182047 dated 30.07.2021 and to issue the Patta to the petitioner for his property bearing Plot No.63, Sri Balavinayaga Nagar, Nerkundram Village, Maduravooyal Taluk, measuring to an extent of 2317.5 sq.ft, comprised in Survey No.324/1, Nerkundram Village, Maduravooyal Taluk, Thiruvallur District.

Prayer in W.P.No.19974 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ



of Mandamus, directing the fifth respondent to consider the petitioner's application No.2021/0103/02/182049 dated 30.07.2021 and to issue the Patta to the petitioner for his property bearing Plot Nos.75 and 76, Sri Balavinayaga Nagar, Nerkundram Village, Maduravoiyal Taluk, measuring to an extent of 650 sq.ft, comprised center (property) in Survey No.324/2, Nerkundram Village, Maduravoiyal Taluk, Thiruvallur District.

For Petitioner

in all W.Ps : Mr.M.Premkumar

For Respondents

in all W.Ps : Mr.A.Selvendran

Government Advocate (for R1, R4 & R5)

: Mr.M.Baskar

Standing Counsel (for R2 & R3)

C O M M O N O R D E R

These writ petitions are filed to issue a Writ of Mandamus, directing the fifth respondent to consider the petitioners' applications Nos.2021/0103/02/182042, 2021/0103/02/182044, 2021/0103/02/182047, 2021/0103/02/182048 and 2021/0103/02/182049 dated 30.07.2021 and to issue the Patta to the petitioners' properties.

2. Considering the limited relief sought for in the petition, without expressing any opinion on merits of these writ petitions, the fifth respondent is directed to conduct enquiry on the applications submitted by the petitioners dated 30.07.2021 for issuance of patta for their respective plots, which were purchased by them from the original owner, after issuance of notice to the fourth respondent with regard to the land acquisition proceedings for the purpose of K.K.Nagar Neighbourhood Scheme and after giving opportunity of hearing to him and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The fifth respondent is also directed to bear in mind that according to the respondents 2 to 4 herein, the subject lands were already acquired and the entire compensation was already paid to the land owners and symbolic possession has also been taken over. The petitioners being subsequent purchasers, have no say to claim any right over the subject properties, since they are encroachers, whereas, according to the petitioners though they purchased subsequent to the



acquisition proceedings, already the land acquisition proceedings were quashed by this Court in some of the Writ Petitions and as such, they are entitled to have patta for their respective properties.

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3. With the above direction, these writ petitions are disposed of. No order as to costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Managing Director,
The Tamil Nadu Housing Board,
No.493, Anna Salai,
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5. The Tahsildar,
Maduravoyal Taluk,
Gangayamman Koil Street,
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+1cc to the Government Pleader, High Court, Madras, S.R.No.58522

W.P.Nos.19953, 19957, 19962, 19967
and 19974 of 2021

AK-II(CO)
SU(24/11/2021)