



Crl.O.P.No.18614 of 2021

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and
Crl.M.P.No.13975 of 2022

SATHI KUMAR SUKUMARA KURUP, J.,

WMP.No.13975 of 2022 has been filed, seeking Revenue Authorities to furnish the records of the subject site and ad-joining lands. Since the Party-in-Person appeared before this Court, this Court had directed the Learned Government Advocate (Crl.Side) to instruct the District Collector, Kancheepuram and the Thasildar, Kundrathur to furnish the Revenue records including the copies of the FMB sketch, to the Petitioner and also to the Court.

2. Today (28.06.2022), when the case came up for hearing, the Thasildar also present in the Court along with the Revenue Staff and also filed a Status Report. In the said Status Report, it had been stated as follows:-

“1) Thiru.Kalyanasundaram, male, aged about 45 years,S/o.M.Muthukumaran discharging duties as the Thasildar, Kundrathur Taluk, Kancheepuram District, do hereby solemnly affirm and sincerely state as follows,

2) I am the first Respondent herein, and as such, I am



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well acquainted with the facts and circumstances of the case from the available records and I am filing this status report on behalf of 2 to 5 Respondents also.

3) It is submitted that Thiru.M.Natarajan S/o.Muthu Gounder has filed W.P.No.18614 of 2021 before the Hon'ble Court with a prayer to direct the 5th respondent to consider the representation dated 30.08.2021 and to provide Police Protection to take apt and appropriate action.

4) It is submitted that the petitioner has represented to measure and survey his land in S.No.7/66 of Moulivakkam Village, Kundrathur Taluk, Kancheepuram District. It is submitted that the land in S.No.7/66 with an extent of 0.00.76 Ares has been registered in Patta No.2492 in favour of Tvl.Natarajan S/o.Muthu Gounder.I and Tmt.Bagyalakshmi W/o.Natarajan as per village accounts. The petitioner has purchased an extent of 820 sq.ft., in the land in S.No.7/6A1A1 in Plot No.21 as per sale deed No.6815/2012. However, during the survey and measurement of the land by the respondent along with Taluk Deputy Surveyor, it was found that the aforesaid Plot No.21 comprises an extent of 420 sq.ft., in the patta land in S.No.7/6A1A and the remaining extent of 400 sq.ft., lies in the land in S.No.7/3 classified as channel, a water source poramboke land. However, it is submitted that when the petitioner applied for mutation of patta during the year 2019, out of the total extent of



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0.40.21 Ares of patta land in S.No.7/6A1A held by Tmt.Sulochana W/o. Rajagopal as per patta No.58, an extent of 0.00.76 Ares from the above land was sub-divided and patta was granted to Thiru.Natarajan S/o.Muthu Gounder-1 and Tmt.Bagyalakshmi W/o.Natarajan-2 as per patta No.2492. Hence, it is submitted that it has become evident from the sale deed No.6815/2012 coupled with the status on ground, the Plot with an extent of 820 sq.ft. Conveyed through the aforesaid sale deed comprises of an extent of 420 sq.ft., in the patta land in S.No.7/6A1A as S.No.7/66 measuring an extent of 0.00.76 Acres in favour of the petitioner, this respondent has sent proposals to the Revenue Divisional Officer, Sriperumbudur in Na.Ka.No.3842/2022/B1, dated 23.06.2022 to reduce the extent as 0.00.39 Acres and to include the remaining extent of 0.00.37 Ares in the land in S.No.7/6A1A1. It is submitted as far as the petitioner is concerned he is entitled for patta for an extent of 0.00.39 Acres only in the land in S.No.7/66 and for the remaining extent of 0.00.37 Ares, since it is classified as channel a water course poramboke in the state on ground, he is not entitled for patta for the same and he is liable to be evicted from the same as an encroacher.

It is also submitted that as regards the allegation of the petitioner regarding the existence of other encroachments in the land in S.No7/3, classified as channel, a water course poramboke land, five encroachment, have been identified and action has already been initiated to remove them under the provisions of the Disaster



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Management Act 2005 by this respondent in Na.Ka.No.4360/2021/A1, dated 10.12.2021 and appropriate action will be pursued for their removal in accordance with law.”

3. The copies of revenue records of the subject site was furnished to the Party-in-Person.

4. Registry is directed to place the matter before the Hon'ble the Chief Justice for getting appropriate orders to post the matter before some other Court.

28.06.2022
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