

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 7/1/2021

C O R A M

THE HON'BLE MR.JUSTICE S.S.SUNDAR

WRIT PETITION NO.21527 OF 2017

1. E.M.Iyyanar
2. Kamatchi
3. Valli
4. Rukkumani
5. C. Aarumugam
6. Parimala
7. G. Venkatesan
8. R. Uthayakumar
9. Vanaja
10. Vijayalakshmi
11. Singari
12. Vijayakumar
13. Kavitha
14. Selvaraj
15. Mohanraj
16. Rajeswari
17. Lokesh Kumar
18. Selvi
19. Samundeeswarai
20. Jeevaraka
21. Vennila
22. Sasikala W/o.Loganathan
23. Sasikala W/o.Karthik
24. Vinayagam
25. Suni.

...Petitioners

Vs

1. The Principal Secretary to Government
Land Administration Department
Ezhilagam
Chepauk
Chennai 600 006.
2. The District Collector
Kancheepuram District
Kancheepuram 631 501.
3. The District Revenue Officer
Kancheepuram
Kancheepuram District.

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4. The Revenue Divisional Officer
Tambaram Taluk
Kancheepuram District.
5. The Tahsildar
Cheyyur Taluk
Kancheepuram District.
6. The Tahsildar
Tambaram Taluk
Kancheepuram District.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first respondent to consider the representation dated 10/8/2015 to issue free house site patta in S.No.55/2 Agaramthen Village, Mathurappakkam taluk, Tambaram Taluk, Kancheepuram District, to the members of petitioner Association.

For petitioner ... Mr.G.Prakash Kumar
No appearance
For respondents ... Ms.A.Madhumathi
Special Government Pleader

O R D E R

This writ petition is filed for issuing a writ of mandamus, directing the first respondent, to consider the representation, dated 10/8/2015, to issue separate house site patta, in S.No.55/2 in Agaramthen Village, Mathurappakkam, Tambaram Taluk, Kancheepuram District to the petitioners in their individual names.

2. Twenty four individuals have joined in this writ petition. After payment of separate Court fee, petitioners were permitted to file a single writ petition.

3. It is the case of the petitioners that there was a direction by the District Revenue Officer, to take action, regarding issuance of separate house site patta in favour of beneficiaries, including the petitioners even in the year 2010 and 2011. The grievance of the petitioners is that the District Collector, though had no objection for issuance of free house site patta, in S.No.55/20, the respondents have not issued patta.

4. When the matter is taken up for hearing through Video Conferencing, learned counsel appearing for the petitioners is not present.

5. The petitioners claim to get free house site patta in respect of a specific property cannot be granted and this Court, cannot issue any direction to the official respondents. However, this Court is of the view that a simple direction can be issued to the respondents 5 and 6, to consider the petitioner's representation, dated 10/8/2015, regarding issuance of free house site patta to the petitioners and to pass appropriate orders on merits and in accordance with law.

6. Accordingly, without expressing any opinion on the merits of the petitioners claim or contentions, this Court direct the respondents 5 and 6, to consider the representation of the petitioners, dated 10/8/2015, regarding issuance of free house site patta to the petitioners and to pass appropriate orders on merits and in accordance with law, within a period of six months, from the date of receipt of a copy of this order. Respondents 5 and 6 shall consider the representation of the petitioners that was already submitted before the first respondent, without insisting on a separate petition pursuant to the order of this Court. If the petitioners are eligible, it may be open to the respondents to identify property which is suitable and they can issue free house site patta, after holding enquiry as to the eligibility of petitioners, in terms of Revenue Standing Orders, as modified from time to time, regarding allotment of free house sites.

7. With the above direction, instant writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

mvs.

To

1. The Principal Secretary to Government
Land Administration Department
Ezhilagam
Chepauk
Chennai 600 006.
2. The District Collector
Kancheepuram District
Kancheepuram 631 501.
3. The District Revenue Officer
Kancheepuram
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4. The Revenue Divisional Officer
Tambaram Taluk
Kancheepuram District.
5. The Tahsildar
Cheyyur Taluk
Kancheepuram District.
6. The Tahsildar
Tambaram Taluk
Kancheepuram District.

+1cc to the Government Pleader, Sr.No.1109

W.P.No.21527 of 2017

NRL (CO)
KKV/17/03/2021



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