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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.11266 OF 2017

Maraimalainagar Kudiyirupor Podhu
Nala Sangangalin Kootamaipu Reg.213/12, 2/33,
NH-I, Maraimalainagar, Pin - 603 209,
Rep. by its Chairman, N.Ranganathan

... Petitioner

.Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
3. The Director,
Survey and Settlement Department,
Survey House, Chepauk,
Chennai - 600 005.
4. The Assistant Director,
Land Survey Department,
Kancheepuram District,
Kancheepuram.
5. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

... Respondents

PRAYER:- Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 3 and 4 to carry out the Town Survey of Maraimalai Nagar and to sub-divided the land allotted by the 5th respondent and direct the respondents 1 and 2 to issue patta within the time stipulated by this Hon'ble Court to the owners of Maraimalai Nagar obtained sale deed from the 5th respondent.



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For Petitioner : Mr.Y.Ramanaiah

For Respondents : Mr.M.R.Gokul Krishnan
1 to 4 Government Advocate

For Respondent 5 : M/s.Malarvizhi Udayakumar
Standing counsel
For CMDA

O R D E R

This writ petition has been filed to issue a Writ of Mandamus directing the respondents 3 and 4 to carry out the Town Survey of Maraimalai Nagar and to sub-divided the land allotted by the 5th respondent and direct the respondents 1 and 2 to issue patta within the time stipulated by this Hon'ble Court to the owners of Maraimalai Nagar obtained sale deed from the 5th respondent.

2. The case of the petitioner is that the fifth respondent acquired large extent of land and the villages namely Kattankalathur, Ninnakarai, Peramanur and Guddalur and layout the land to form a satellite city called Maraimalai Nagar, after developing the same allotted the built up area, built up houses and plots to the economically weaker, lower, middle and higher income groups persons on the instalment basis and after full payment the sale deeds were executed in the name of the respective allottees. The fifth respondent also handed over the same portions of the land in favour of the Tamil Nadu Housing Board and the Tamil Nadu Housing Board developed and constructed various houses and made public allotment and execute the sale deeds to the allottees. All the Superstructure of the owners are assessed to property tax and the tax is paid.

3. However, the entire lands were not sub divided and the purchasers were not issued patta. Therefore, the members of the petitioner association submitted representation for sub division and issuance of patta. In fact, the fifth respondent approached the Revenue Officials by a letter dated 02.09.2015 and requested the fourth respondent to make necessary arrangement to note down the survey for the subject property and incorporate the sub-divisions to enable them to issue patta in favour of the individual allottees of Maraimalai Nagar.

4. However, the third respondent informed the petitioner that only after survey the Town Survey the patta will be issued in favour of the allottees. Therefore, the third respondent directed the fourth respondent by the communication dated 07.12.2015 to take immediate action to carry out the survey.



Thereafter, no steps have been taken to survey the subject land to issue patta to the allottees. Hence, the petitioner was constrained to submit repeated representations and finally the petitioner submitted representation on 20.07.2016 to the respondents 1 to 4 to survey the land and after sub division issued patta to the allottees.

5. Considering the above, the third and fourth respondents are directed to carry out the Town Survey of Maraimalai Nagar and to sub divide the land allotted by the fifth respondent to the respective allottees within a period of four weeks from the date of receipt of a copy of this order. After survey and sub division the second respondent is directed to issue patta to the respective allottees in accordance with their sale deeds within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(DIGITS)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
3. The Director,
Survey and Settlement Department,
Survey House, Chepauk,
Chennai - 600 005.
4. The Assistant Director,
Land Survey Department,
Kancheepuram District,
Kancheepuram.



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

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+1cc to Mr.S.Elamurugan, Advocate, S.R.No.57350
+1cc to the Government Pleader, S.R.No.57694

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AK-II (CO)
PBS/29/11/2021