



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.30097 of 2019

1.D.Elumalai

2.M.Raji

3.Lakshmi

4.Vijaya

5.Gajendran

...Petitioners

Vs

1. The State of Tamilnadu,
Rep.by its District Collector,
Thiruvallur

2. The District Revenue Officer,
Thiruvallur District,
Thiruvallur

3. The Revenue Divisional Officer,
Ponneri,
Ambattur Taluk,
Thiruvallur

4. Tahsildar,
Ambattur,
Thiruvallur District

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to issue a joint patta in favour of the petitioners, with respect to an extent of 2554 sq.meters in survey No.442, Mugappair Village, Ambattur Taluk.

For Petitioners : Mr.R.Venkatajalapathy

For Respondents : Mr.A.Selvendran,
Special Government Pleader



ORDER

This writ petition is filed to issue a Writ of Mandamus directing the respondents herein to issue a joint patta in favour of the petitioners, with respect to an extent of 2554 sq.meters in survey No.442, Mugappair Village, Ambattur Taluk.

2. The case of the petitioners is that the land comprised in survey No.442 admeasuring 2554 sq.mtrs. form part of the total extent of 29.09.0 hectares situated in Village of Mogappair, Ambattur Taluk belongs to the Government. However, it had been brought under the control of Tamilnadu Housing Board vide GO.Ms.No.1517 dated 04.09.1984. The Housing Board had taken over and constructed residential apartments to an extent of 51.35 acres and the same were allotted to the general public. The petitioners are in occupation in the land adjacent to the Housing Board area which are being levied with penal charges by the Government. The further case of the petitioners is that they are living there for the past several years and on payment of B memo charges. Therefore, they sought for patta.

3. The Tahsildar, Ambattur reported before this Court that the subject land comprised in survey No.442 is classified as "Mogappair Eri" and the petitioners are not entitled for patta as claimed by them. In fact, the said entire land had been handed over to the Tamilnadu Housing Board and as such the request of the petitioners cannot be considered.

4. Though the land to an extent of 51.35 acres comprised in survey No.442 was already handed over to the Tamilnadu Housing Board, the said land is classified as "Mogappair Eri". Therefore, the request of the petitioners cannot be considered for issuance of patta. Hence, the prayer sought for in this writ petition is devoid of merits.

5. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
State of Tamilnadu,
Thiruvallur

2. The District Revenue Officer,
Thiruvallur District,
Thiruvallur

3. The Revenue Divisional Officer,
Ponneri, Ambattur Taluk,
Thiruvallur

4. Tahsildar,
Ambattur,
Thiruvallur District

+1cc to Mr.S.Kadarkarai, Advocate, S.R.No.61340

+1cc to the Government Pleader, S.R.No.61938

WP.No.30097 of 2019

NRL (CO)
RGA (08/12/2021)