



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.17378 OF 2015

AND

M.P.NO.1 OF 2015

1. E.Ramadoss
2. E.Ravi
3. M.Kutty
4. E.Kannan
5. E.Karunakaran
6. Parvathi

... Petitioners

-Vs-

1. The Settlement/Assistant Settlement Officer,
Office of the Principal Secretary's
Commissioner Land Survey's Settlement,
Chepauk, Chennai - 5.
2. The Tahsildar,
Taluk Office, Ambattur,
Thiruvallore District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to act upon the application filed by the petitioners dated 18.07.2011 and reminder dated 04.05.2015 and grant Joint Patta in favour of the petitioners in respect of the land comprised in S.No.175/1 an extent of 25 Acres and 30 cents, at No.13, Vellanur Village, Ambattur Taluk, Tiruvallore District within the time frame.

For Petitioners : No Appearance

For Respondents : Mr.S.Rajesh
Government Advocate



ORDER

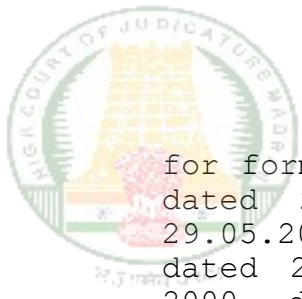
This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to act upon the application filed by the petitioners dated 18.07.2011 and reminder dated 04.05.2015 and grant Joint Patta in favour of the petitioners in respect of the land comprised in S.No.175/1 an extent of 25 Acres and 30 cents, at No.13, Vellanur Village, Ambattur Taluk, Tiruvellore District within the time frame.

2. There is no representation for the petitioners. Heard Mr.S.Rajesh, learned Government Advocate appearing for the respondents.

3. The case of the petitioners is that one Ramaswamy Reddiar, who is the father of the petitioners 1 to 5 and husband of the 6th petitioner herein, owned property comprised in Survey No.175/1 situated at No.13, Vellanur Village, Ambattur Taluk, Tiruvellore District, to an extent of 25 acres and 30 cents. After his demise, the sixth respondent is being the mother of the petitioners 1 to 5 had settled the property on 14.09.2005 in favour of the petitioners 1 to 5 herein to an extent of 20.80 acres and retained the remaining extent of the property ad-measuring 4.50 acres. The said land was classified as Punjai Land and patta was issued in favour of the sixth petitioner. By virtue of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act 1948 (Act 26/48), the subject land has been classified as Anadeenam.

4. The said classification was done without any notice to the petitioners and knowledge of the petitioners. They are in possession and enjoyment of the said property and applied for issuance of patta. However, the first respondent, rejected the request made by the petitioners by an order dated 01.06.2011. The said order was challenged before this Court in W.P.No.15174 of 2011 and this Court by an order dated 30.06.2011, set aside the impugned order dated 01.06.2011 and remitted back to the first respondent herein for passing appropriate orders on merits, after giving an opportunity of hearing to the petitioners within a period of twelve weeks from the date of the receipt of a copy of the order. Accordingly, the petitioners submitted an application on 18.07.2011 and requested to issue joint patta.

5. On written instructions received from the second respondent and also on perusal of the communication, dated 18.03.2015 from the second respondent to the District Collector, Thiruvallur, revealed that the land comprised in Survey Nos.44/1, 45 and 175/1 situated at Vellanur Village, Ambattur Taluk, Tiruvellore District had been allotted in favour of SIDCO



for formation of Industrial Estate by the G.O.Ms.No.424 of 2012, dated 26.12.2012 and by the G.O.Ms.No.151 of 2013, dated 29.05.2013. The Assistant Settlement Officer, Tiruvannamalai, dated 23.11.2000 vide SR.No.21 of 2000 and vide SR.No.25 of 2000, dated 18.12.2000 issued Ryotwari patta and it had been cancelled by the Settlement Officer and reclassified the land as Sarkar Poramboke Anaadeenam.

6. A perusal of the village accounts also revealed that the land comprised in Survey No.44/1 to an extent of 8.91.5 hectares, the land comprised in Survey No.45 to an extent of 4.76.0 hectares and the land comprised in Survey No.175/1 to an extent of 10.24.0 hectares are classified as Assessed Punjai Anaadeenam and reclassified in favour of SIDCO.

7. However, the request of the petitioners was already rejected on 11.07.2016 vide proceedings, E1/4226/2015 and the said order was also duly communicated to the petitioners.

8. In view of the above, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Settlement/Assistant Settlement Officer,
Office of the Principal Secretary's
Commissioner Land Survey's Settlement,
Chepauk, Chennai - 5.
2. The Tahsildar,
Taluk Office, Ambattur,
Thiruvallore District.

+1cc to the Government Pleader, S.R.No.5974

W.P.NO.17378 OF 2015 AND
M.P.NO.1 OF 2015

MT(CO)
PBS/18/02/2022