



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

THE HON'BLE MR. JUSTICE M.GOVINDARAJ

W.P.No.32412 of 2015
and
W.M.P.No.1 of 2015

1.J.Lokesh Kumar
2.J.Ranjith Kumar
3.J.Shobana

... Petitioners

vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Housing & Urban Development,
Secretariate, Chennai - 9.

2.The District Collector,
Collectorate, Chennai - 1.

3.The Tahsildar,
Taluk Office,
Aminjekarai Taluk,
Koyambedu,
Chennai - 107.

4.The Assistant Engineer,
Public Works Department,
Egmore-Division,
Chennai - 8.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents and in particularly third and fourth respondents from interfering the land in S.No.103 & 95 spread over 3 Ground 1766 Sq.ft. in S.No.95, at Block No.3, Senjeri Village, Aminjekarai Taluk, Chennai District.



WEB COPY

For Petitioners : Mr.P.Vijendran

For R5 : Mr.M.Rajendiran
Additional Government Pleader

O R D E R

This writ petition has been filed forbearing the respondents, Revenue officials from interfering with the peaceful possession of land measuring to an extent of 3 Ground and 1766 Sq.ft. in S.No.95 and other lands in S.No.103, at Block No.3, Senjeri Village, Aminjikarai Taluk, Chennai District.

2.From the perusal of the affidavit filed in support of the writ petition it is noted that the petitioners' grand father was given a 2 C Patta for enjoying six dates trees on payment of penalty of Rs.71/- per annum. According to the petitioners, it is in their continuous possession and enjoyment. Now that the Government is making several attempts to evict the petitioners from the land and take over the land. Aggrieved for the same the petitioners' father made a representation dated 28.09.2015 to the third respondent, but it is so far not disposed of. On the other hand attempts were made by the third and fourth respondents i.e. the Tahsildar, Taluk Office, Aminjikarai Taluk, Koyambedu, Chennai - 107 and the Assistant Engineer, Public Works Department, Egmore-Division, Chennai to take over the land.

3.Heard the submissions of both the sides.

4.Admittedly, the land belongs to the Government and it is classified as sarkar poromboke which is used for collecting dry waste, for which the petitioners' ancestors paid penalty. Therefore, they cannot claim any right and title to the land.

5.However, the learned counsel appearing for the petitioners restrict the prayer to the extent of the disposal of the representation by considering the request of the petitioners' father dated 28.09.2015.

6.Thus, without going into the merits of the case, the second respondent is directed to consider the representation submitted by the writ petitioners' father dated 28.09.2015, either accepting or rejecting it within a period of twelve weeks from the date of receipt of a copy of this order.



7. Accordingly, this writ petition stands disposed of. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

ah
To

1. The Secretary,
The Government of Tamil Nadu,
Department of Housing & Urban Development,
Secretariate,
Chennai - 9.
2. The District Collector,
Collectorate,
Chennai - 1.
3. The Tahsildar,
Taluk Office,
Aminjakarai Taluk,
Koyambedu,
Chennai - 107.
4. The Assistant Engineer,
Public Works Department,
Egmore-Division,
Chennai - 8.

+1cc to Mr.P.Vijendran, Advocate Sr.19465
+1cc to the Government Pleader Sr.19904

W.P.No.32412 of 2015
and
W.M.P.No.1 of 2015

ssi[col]
srg 08/06/2022