



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.7919, 7921 & 7923 of 2022
and
W.M.P.Nos.7921 & 7922 of 2022

SP.Saraswathi

...Petitioner in W.P.No.7919 of 2022

1. Mr.SP.Surendranath Karthik
2. Mrs.S.Anjana devi

...Petitioners in W.P.No.7921 of 2022

1. Mr.R.Sivakumar
2. Mrs.S.Keerthi

...Petitioners in W.P.No.7923 of 2022

Vs.

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street, New Kumaran Nagar,
Sholinganallur, Chennai.

2. The Commissioner,
Commissionerate of Urban Land Ceiling & Tax Department
Chepauk, Chennai-600 005.

...Respondents in all W.P's

Prayer in W.P.No.7919 of 2022: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to grant Patta in the name of the petitioner with respect to their property bearing Plot No.9, Lake view 2nd street, Ayyapa Nagar, Madipakkam, Chennai 600 091, measuring 2400 sq.ft in sanctioned layout bearing D.T.P No.183/73 comprised in Survey No.174/2, (Patta No.420) abutting Lake View 2nd street (formerly Murugesu Naicker Road), 154, Madipakkam Village, Sholinganallur Taluk, (formerly Saidapet Taluk), Kancheepuram District, (Formerly Madras) currently within the limits of Corporation of Chennai, Zone 14, without insisting on a No Objection Certificate from the 2nd respondent in accordance with the Judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the Judgment in W.A.Nos.975 to 978 of 2015.



Prayer in W.P.No.7921 of 2022: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to grant Patta in the name of the petitioners with respect to their property bearing Plot No.8, Lake view 2nd street, Ayyapa Nagar, Madipakkam, Chennai 600 091, measuring 2400 sq.ft in sanctioned layout bearing D.T.P No.183/73 comprised in Survey No.174/2, (Patta No.3484) abutting Lake View 2nd street (formerly Murugesu Naicker Road), 154, Madipakkam Village, Sholinganallur Taluk, (formerly Saidapet Taluk), Kancheepuram District, currently within the limits of Corporation of Chennai, Zone 14, without insisting on a No Objection Certificate from the 2nd respondent in accordance with the Judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the Judgment in W.A.Nos.975 to 978 of 2015.

Prayer in W.P.No.7923 of 2022: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to grant Patta in the name of the petitioners with respect to their property comprised in Survey No.174/2 Part, Patta No.3094, as per Patta S.No.174/2A1B, bearing Plot No.1, measuring 2560 sq.ft. Situated at Madipakkam Village, Old Door No.142, New Door No.5/841, Lake View 2nd Street, Ayyapa Nagar, Madipakka, Chennai-600 091, in a sanctioned layout bearing D.T.P.No.183/73, 154 Madipakkam Village, Sholinganallur Taluk, (formerly Saidapet Taluk), Kancheepuram District, currently within the limits of Corporation of Chennai, Zone 14, without insisting on a No Objection Certificate from the 2nd respondent in accordance with the Judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the Judgment in W.A.Nos.975 to 978 of 2015.

In all W.P's

For Petitioners : Mr.T.Gowthaman

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate

COMMON ORDER

These Writ Petitions have been filed seeking for issuance of a Writ of Mandamus, directing the 1st respondent to grant Patta in the name of the petitioners for their respective properties.

2. Today, when the matter is taken up for hearing, the learned counsel for the petitioners submitted that this Court by order dated 04.04.2022, issued direction to the 1st respondent/Tahsildar to issue Patta in the name of the petitioners, if it is otherwise in order, pursuant to the same, the Tahsildar issued Patta in favour of the petitioners.



Wherein for the petitioner in W.P.No.7919 of 2022, Patta has been issued for her property only to an extent of 400 sq.ft out of 2400 sq.ft. Therefore, it would suffice if this Court issues direction to the 1st respondent to issue Patta for the remaining extent of 2000 sq.ft of the petitioner's property within the time frame as fixed by this Court.

3. The learned Government Advocate appearing for the respondents submitted that complying the order of this Court dated 04.04.2022, after conducting adjudication, Patta has been issued in favour of the petitioners by the 1st respondent/Tahsildar. Insofar as the contention of the petitioner in W.P.No.7919 of 2022 that, Patta has been only issued to an extent of 400 sq.ft out of 2400 sq.ft, the same would be considered by the respondents and appropriate orders will be passed on the same.

4. In view of the submission made by the learned Government Advocate that, complying the order of this Court, the application of the petitioners in W.P.Nos.7921 & 7923 of 2022 were considered by the Tahsildar and Patta has been issued to that effect. Therefore, no further orders are necessary in both the Writ Petitions. Accordingly, the aforementioned petitions are closed. No Costs. Consequently, connected Miscellaneous Petitions are closed.

5. However, insofar as W.P.No.7919 of 2022 is concerned, it is the stand of the petitioner that, Patta has not been granted for the remaining extent of the petitioner's property to the extent of 2000 sq.ft. Accordingly, the 1st respondent is directed to consider the petitioner's application once again and pass orders on the same in accordance with law and communicate the order to the petitioner within a period of two weeks from the date of receipt of a copy of this order. This Writ Petition is disposed of accordingly. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street, New Kumaran Nagar,
Sholinganallur, Chennai.



2. The Commissioner,
Commissionerate of Urban Land Ceiling & Tax Department
Chepauk, Chennai-600 005.

WEB COPY

+3ccs to Mr.T.Gowthaman, Advocate SR. No.26846
+1cc to Government Pleader SR. No. 26343

W.P.Nos.7919, 7921 & 7923 of 2022

MT (CO)
PR (06/05/2022)