



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. Nos.9079 and 9084 of 2022 and
W.M.P.Nos.8878, 8879, 8882 and 8883 of 2022

1. A.Jenasenan
2. K.Sundareswaran
3. Meenakshi Muthukumaraswamy

...Petitioners in all W.P.s

Vs.

- 1.The District Collector,
Chennai District, Chennai.
- 2.The District Revenue Officer,
Chennai District,
Collectorate Office, Rajaji Salai,
Chennai - 600 001.
- 3.The Revenue Divisional Officer,
Mylapore Triplicane Taluk,
Greenways Road, Raja Annamalaipuram,
Chennai - 600 028.
- 4.The Tahsildar,
Mylapore Triplicane Taluk,
Greenways Road, Raja Annamalaipuram,
Chennai - 600 028.

- 5.M.Nandagopal

...Respondents

Prayer in W.P.No.9079 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to include the name of the petitioners in Place of TV Hari, in the Town Survey Land Register relating to S.No.414/1 of Mylapore Part I, Mylapore Taluk, Chennai District.

Prayer in W.P.No.9084 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue patta to a total extent of 494 sq.meter comprised in S.No.414/1, of Mylapore Part I, Mylapore Taluk, Chennai District, in the name of the petitioners and 5th respondent.



For Petitioners in both W.P.s : Mr.S.Mohanasundarajan

For Respondent in both W.P.s : Mr.R.P.Murugan Raja
Government Advocate

WEB COPY

C O M M O N O R D E R

Since the issue raised in the present Writ Petitions are one and the same, they are disposed of by way of this common order.

2. Since no adverse order has been passed against the private respondent, notice to the private respondent is dispensed with.

3. The case of the petitioners is that petitioners 1 and 2 and the husband of the 3rd petitioner i.e., R.Muthukumaraswamy purchased the property ad-measuring 494 Sq.Mt. comprised in S.No.414/1 situated at Mylapore Part I, Mylapore Taluk, Chennai District from one T.V.Hari and others. Thereafter, the 4th respondent issued Patta in favour of said T.V.Hari and 5th respondent, only to an extent of 290 Sq. Mt. out of 494 Sq.Mt. in respect of the above said survey number. That apart, the said R.Muthukumaraswamy died leaving behind his legal heirs. Whiles, the petitioners 1,2 and the legal heirs of Late R.Muthukumaraswamy made representations before the respondents 1 to 4 dated 10.01.2022 and 10.02.2022 for inclusion of their names along with the 5th respondent in the Town Survey Land Register in respect of said survey number instead of Mr. T.V.Hari and to issue patta for the remaining land of an extent of 204 Sq.mt. in said survey number. Since the respondents 1 to 4 have not acceded to the petitioners representations, they have filed the present Writs Petition seeking the aforesaid relief.

4. Though very many grounds have been raised in this Writ Petition, learned counsel appearing on behalf of the petitioners submits that it would suffice if this Court issues direction to the 4th respondent to consider the petitioners' representations dated 10.01.2022 and 10.02.2022 and pass appropriate orders on merits within a particular time frame to be fixed by this Court.

5. The learned Government Advocate for respondents 1 to 4 has no objection for said order being passed.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the 4th respondent to consider the said representations of the petitioners dated 10.01.2022 and



10.02.2022 and pass appropriate orders and dispose of the said representations, on merits and in accordance with law after affording an opportunity of hearing to the petitioners as well as aggrieved persons if any including the 5th respondent, within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that, this Court, has not expressed any opinion on the merits of the claim of the petitioners and it is for the 4th respondent to decide the same at the time of disposing of the said representations purely on merits.

8. With the above observations and direction, these Writ Petitions are disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

rap

To

- 1.The District Collector,
Chennai District, Chennai.
- 2.The District Revenue Officer,
Chennai District,
Collectorate Office, Rajaji Salai,
Chennai - 600 001.
- 3.The Revenue Divisional Officer,
Mylapore Triplicane Taluk,
Greenways Road, Raja Annamalaipuram,
Chennai - 600 028.
- 4.The Tahsildar,
Mylapore Triplicane Taluk,
Greenways Road, Raja Annamalaipuram,
Chennai - 600 028.

+4ccs to M/s.S.Mohana Sundararajan, Advocate SR. No. 25726,
25725

+1cc to Government Pleader SR. Nos.25927, 25768

W.P. Nos.9079 and 9084 of 2022

SKM (CO)

PR (04/05/2022)