



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.10703 of 2022
and W.M.P.No.10338 of 2022

Mrs.Faiza Ahmed
Represented by her Power Agent
S.Anbarasan

...Petitioner

Vs.

- 1.The District Collector,
Chennai District,
Office of the Collectorate,
Rajaji Salai, Chennai - 600 001.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Chennai Collectorate,
Rajaji Salai,
Chennai - 600 001.
- 3.The Tahsildar,
Office of the Tahsildar,
Velachery, Chennai.
- 4.The Principal Secretary and Commissioner,
Survey and Settlement,
Chepauk,
Chennai - 600 005.
- 5.The Joint Director,
Land Survey and Settlement Department,
Survey House,
Chepauk,
Chennai - 600 005.
- 6.The Manager,
Theosophical Society of Chennai,
Adyar,
Chennai.

...Respondents



PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second and third respondents to carry out the orders passed by the first respondent in Na.Ka.E.1/2111/2018 dated 30.11.2019 and the consequential order passed by the fourth respondent in Na.Ka.No.5/10246/18 (Ni.Aa) dated 18.09.2019 and issue patta in the name of the petitioner's principal and his family members for the property situated at Wuroor Village, Velachery Taluk (Previously Saidapet Taluk) Chennai District (Previously Chengelpet District) in Survey Nos.26, 28, 29A and 29B ad-measuring the extent of 81.250 Acres of land.

For Petitioner : Mr.M.L.Ramesh

For R1 to R5 : Mr.A.Anandan
Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second and third respondents to carry out the orders passed by the first respondent in Na.Ka.E.1/2111/2018 dated 30.11.2019 and the consequential order passed by the fourth respondent in Na.Ka.No.5/10246/18 (Ni.Aa) dated 18.09.2019 and issue patta in the name of the petitioner's principal and his family members for the property situated at Wuroor Village, Velachery Taluk (Previously Saidapet Taluk) Chennai District (Previously Chengelpet District) in Survey Nos.26, 28, 29A and 29B ad-measuring the extent of 81.250 Acres of land.

2. Mr.A.Anandan, learned Government Advocate takes notice for the respondents 1 to 5. In view of the limited relief sought for in this petition, on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal. Since no adverse order is passed against the 6th respondent, notice to the 6th respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner's Principal's great grand father is the owner of the property comprised in Survey Nos.26, 28, 29A and 29B ad-measuring the extent of 81.250 Acres of land, situated at Wuroor Village, Velachery Taluk (Previously Saidapet Taluk) Chennai District (Previously Chengelpet District). The patta was also issued in the name of the petitioner's Principal's great grand father. However, by creating forged documents, the patta was given in the name of the 6th respondent. In order to cancel the said patta, the petitioner made a representation, based on which, the first and fourth respondents conducted enquiry and directed to carry out the necessary corrections in the patta. However, till date, the said orders are not implemented. Hence, this present petition is filed.



4. The learned counsel for the petitioner further submitted that this Court may issue a direction to the second and third respondents to implement the orders passed by the first and fourth respondents, dated 30.11.2019 and 18.09.2019 respectively, within the stipulated time as may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1 to 5, would submit that the orders passed by the first and fourth respondents will be implemented within the time frame to be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second and third respondents to implement the orders passed by the first respondent in Na.Ka.E.1/2111/2018, dated 30.11.2019 and the consequential order passed by the fourth respondent in Na.Ka.No.5/10246/18 (Ni.Aa), dated 18.09.2019 and after giving an opportunity of hearing to the petitioner and the 6th respondent herein, pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

mn

To

1. The District Collector,
Chennai District,
Office of the Collectorate,
Rajaji Salai, Chennai - 600 001.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Chennai Collectorate,
Rajaji Salai,
Chennai - 600 001.
3. The Tahsildar,
Office of the Tahsildar,
Velachery, Chennai.



4. The Principal Secretary and Commissioner,
Survey and Settlement,
Chepauk,
Chennai - 600 005.

WEB COPY

5. The Joint Director,
Land Survey and Settlement Department,
Survey House,
Chepauk,
Chennai - 600 005.

+1cc to Mr.M.L.Ramesh, Advocate SR. No. 29327

+1cc to Government Pleader SR. No. 30848

W.P. No.10703 of 2022
and W.M.P.No.10338 of 2022

SKM (CO)
PR (17/05/2022)