



WEB COPY



W.P.Nos.22902 to 22906 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.22902 to 22906 of 2014

W.P.No.22902 of 2014:

M.Anthony
Rep. by its power agent,
M.Jarina

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary,
Rural Development and Local Administration,
Fort St.George, Chennai – 600 009.

2.The Collector,
Kancheepuram District,
Kancheepuram.

3.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

4.The Conservator of Forests,
Anna Salai,
Teynampet,
Chennai – 18.

... Respondents



W.P.Nos.22902 to 22906 of 2014

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner in respect of property admeasuring 1950 square feet bearing Plot No.56 comprised in survey No.657/3, Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District and grant such other relief.

W.P.No.22903 of 2014:

M.Anthony
Rep. by its power agent,
D.Chenaram

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Rural Development and Local Administration,
Fort St.George, Chennai – 600 009.
- 2.The Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.
- 4.The Conservator of Forests,
Anna Salai,



W.P.Nos.22902 to 22906 of 2014

Teynampet,
Chennai – 18.

... Respondents

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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner in respect of property admeasuring 1140 square feet bearing Plot No.29 comprised in survey No.657/3, Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District and grant such other relief.

W.P.No.22904 of 2014:

M.Anthony
Rep. by its power agent,
R.Anthony Samy

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Rural Development and Local Administration,
Fort St.George, Chennai – 600 009.
- 2.The Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.



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4.The Conservator of Forests,
Anna Salai,
Teynampet,
Chennai – 18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner in respect of property admeasuring 1200 square feet bearing Plot No.36 comprised in survey No.657/3, Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District and grant such other relief.

W.P.No.22905 of 2014:

M.Anthony
Rep. by its power agent,
Jeyasingh

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary,
Rural Development and Local Administration,
Fort St.George, Chennai – 600 009.

2.The Collector,
Kancheepuram District,
Kancheepuram.

3.The Tahsildar,



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Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

4.The Conservator of Forests,
Anna Salai,
Teynampet,
Chennai – 18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner in respect of property admeasuring 1200 square feet bearing Plot No.30 comprised in survey No.657/3, Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District and grant such other relief.

W.P.No.22906 of 2014:

M.Anthony
Rep. by its power agent,
V.Chakravarthy

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary,
Rural Development and Local Administration,
Fort St.George, Chennai – 600 009.

2.The Collector,
Kancheepuram District,



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Kancheepuram.

3.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur,
Kancheepuram District.

4.The Conservator of Forests,
Anna Salai,
Teynampet,
Chennai – 18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner in respect of property admeasuring 1200 square feet bearing Plot No.44 comprised in survey No.657/3, Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District and grant such other relief.

For Petitioner : Mr.G.Rajan
in all W.Ps

For Respondents 1 to 3 : Mr.U.Bharanidharan,
in all W.Ps Additional Government Pleader

For Respondent 4 : Mr.M.K.Subramanian
in all W.Ps

COMMON ORDER



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These writ petitions have been filed for issuance of Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 12.04.2013 and 27.09.2013 and grant patta in favour of the petitioner situated at Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District.

2. The case of the petitioner is that the property in Plot Nos.56, 29, 30, 36, 44 comprised in S.No.657/3, situated at Annai Theresa Nagar, Pallikaranai Village, Tambaram Taluk, Kancheepuram District is an ancestral property of the petitioner. Whiles, the respondents attempted to evict all the members of the residences of the Annai Theresa Nagar, which is formed within the area of 10 acres in the aforesaid S.No/657/3. Similarly, there were residents in the adjacent area, who have also formed an association viz., Bharathi Dasan Occupants Welfare Association, Aringar Anna Occupants Welfare Association, Dr.B.R.Ambedkar Nagar Occupants Welfare Association and all these Associations were registered under the Tamil Nadu Societies Registration Act.



2.1. Further the case of the petitioner is that these associations have given representation before the respondents 2 & 3 to grant patta in the individual name of the occupants of the respective plots and residence. Pending these representation, respondents 1 to 4 illegally attempted to evict all the occupants and residents of the area without following the due process of law. Aggrieved over the same, the aforesaid associations jointly filed writ petition before this Court in W.P.Nos.5497 to 5500 of 2010 and the same was disposed by way of common order on 25.03.2010, directed the respondents therein to consider the individual claim made by the members of the association and pass orders, however, no order was passed. Hence, the petitioner made a representation dated 12.04.2013 and 27.09.2013 before the second respondent, seeking to grant patta in favour of the petitioner and the same was not considered. Hence, the petitioner filed this writ petition with the aforesaid prayer.

3. Learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 12.04.2013 and 27.09.2013 and pass appropriate orders



on merits and in accordance with law, within a time frame to be fixed by this Court.

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4. Learned Additional Government Pleader appearing for the respondents would submit that the land in dispute is belongs to Corporation of Chennai and the same is used as Corporation dumping yard. Hence, he prayed for dismissal of this writ petition.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. The facts in the present case is not in dispute. Admittedly, the petitioner made representations dated 12.04.2013 and 27.09.2013 before the second respondent for granting patta in respect of S.No.657/3, which is belongs to the Corporation of Chennai and also used as Corporation dumping yard. Therefore, the said land cannot be alienated in favour of any individual. Hence, the prayer sought by the petitioner cannot be granted.



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7. Accordingly, this writ petition stands dismissed. No costs.

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Index : Yes/No

Speaking Order : Yes/No

M.DHANDAPANI,J.

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Rural Development and Local Administration,

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Fort St.George, Chennai – 600 009.

2.The Collector,
Kancheepuram District,
Kancheepuram.

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Sholinganallur Taluk,
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