



WEB COPY



WP.Nos.26419 & 26424 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.Nos.26419 & 26424 of 2022

M/s.Yekediar Famrs LLP

(Formerly Yekediar Farms Private Limited)

Rep. by A.K.D.Rengasamy Raja, Designated Partner

No.6, Mount Poonamalle Road

Nandambakkam

Chennai – 600 089

.. Petitioner in W.P.No.26419 of 2022

M/s.Indian Reinforcing Company

(Welded Mesh) Private Limited

Rep. by A.R.D Ramachandra Raja, Director

No.6, Mount Poonamalle Road

Nandambakkam

Chennai – 600 089

.. Petitioner in W.P.No.26424 of 2022

Versus

1.The District Collector-Chennai District

Singaravelar Maligai

Rajaji Salai

Chennai – 600 001.

2.The Revenue Divisional Officer

Southern Chennai Division

Guindy

Chennai – 600 032

3.The Tahsildar

Velachery Taluk

Velachery

Chennai – 600 042

.. Respondents in both cases



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Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue Patta for a land admeasuring 1.9 grounds or 425 sq.mts comprised presently in T.S.No.173 Part, Block No.62, Old Survey No.211/16A Part of Thiruvanmiyur Village, Chennai pursuant to the representation dated 06th May 2022 made by the petitioners.

For Petitioners : Mr.A.Jenasenan (in both cases)
for Mr.Prasad Jayakumar
For Respondents : Mrs.T.K.Saravnan (in both cases)
Government Advocate

COMMON ORDER

These writ petitions are filed seeking to direct the respondents to issue Patta for a land admeasuring 1.9 grounds or 425 sq.mts comprised presently in T.S.No.173 Part, Block No.62, Old Survey No.211/16A Part of Thiruvanmiyur Village, Chennai pursuant to the representations dated 06th May 2022 made by the petitioners.

2. Since the issue arising out of both the writ petitions are one and the same, they are clubbed and heard together and disposed of by way this common order.

3. Heard learned counsel for the petitioners and the learned Government Advocate appearing for the respondents and perused the materials available on record.



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4. The petitioners are the owners of the property admeasuring 1.9 grounds or 425 sq.mts comprised presently in T.S.No.173 Part, Block No.62, Old Survey No.211/16A Part of Thiruvanmiyur Village, Chennai by virtue of purchase made from the Mr.A.K.D.Dharma Raja vide Doc.Nos. 2317 and 2318 of 1982. Subsequently, town survey was taken up and the petitioners were under the impression that they were issued with correct patta from the Town Survey Settlement. However, during the year 2012, they were informed that the subject land was classified as Government Poramboke land, hence, they moved an application dated 06.09.2012 for rectification of town survey error. Thereafter, the third respondent sent a proposal to the first respondent on 27.09.2013 and the Director of Town Planning in his letter dated 23.10.2015 cited the layout is genuine. However, patta were not issued in favour of the petitioners. The petitioners were made to run from pillar to post and yet pattas were not issued in their favour. Hence, they once again made representations to the respondents on 06.05.2022 for issuance of patta which is pending without consideration till date. Hence, these petitions.

5. The learned counsel for the petitioners submitted that this Court may issue direction to the respondents to implement the letter in Letter No. J2/38201/2013 dated 03.02.2016 issued by the first respondent to the



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Commissioner, Corporation of Chennai proposing to issue no objection to subdivide the petitioner lands and issue patta in their favour and also to consider the representations of the petitioners dated 06th May 2022 within a reasonable time as fixed by this Court.

6. Considering the facts and circumstances of these cases, this Court, without going into the merits, directs the respondents to implement the letter in Letter No. J2/38201/2013 dated 03.02.2016 issued by the first respondent to the Commissioner, Corporation of Chennai proposing for issuance of patta and also further directs to consider the representations of the petitioners dated 06.05.2022 and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to the petitioners as well as any other interested parties within a period of four weeks from the date of receipt of a copy of this Order.

7. In view of the above directions, these writ petition stands disposed of.
No costs.

30.09.2022

dhk

Index Yes/No

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M. DHANDAPANI, J.

dhk

To

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