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WP.No.28213 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.28213 of 2022

V.Ravichandran

.. Petitioner

Versus

1.The Collector of Chennai
O/o.The Collector of Chennai
Singaravelar Maligai
Rajaji Salai, Chennai – 600 001

2.The Tahsildar
Ayanavaram Taluk
No.18/31, Palliarasan Street, Aspiran Garden Colony
Kumaran Nagar, Kilpauk, Chennai – 600 010

3.The Inspector of Police
V4 – Rajamangalam Police Station
Kolathur, Chennai – 600 049

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to dispose the representation dated 29.01.2019 given by the petitioner to the 1st respondent and thereby direct the 1st respondent to implement the proceedings of the Learned Settlement Officer, Chennai vide Na.Ka.E4/8640/2017 dated 18-01-2019 in respect of rectifying the mistake and amending the classification of lands in T.S.No.85, Block No.16 and T.S.No.226, Block No.18 of Kolathur Village, Ayanavaram Taluk.

For Petitioner : Mr.J.Srinivasan
For Respondents : Mr.U.Bharanidharan for R1 & R2
Additional Government Pleader



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ORDER

This writ petition is filed seeking for the issuance of Writ of Mandamus to direct the respondent to dispose the representation dated 29.01.2019 given by the petitioner to the 1st respondent and thereby direct the 1st respondent to implement the proceedings of the Learned Settlement Officer, Chennai vide Na.Ka.E4/8640/2017 dated 18-01-2019 in respect of rectifying the mistake and amending the classification of lands in T.S.No.85, Block No.16 and T.S.No.226, Block No.18 of Kolathur Village, Ayanavaram Taluk.

2. The case of the petitioner is that the petitioner is the owner of the extent of about 10 cents of land comprised in Old Survey No.43 Part of Kolathur Village, as per Revenue records an extent of 280 sq.mts comprised in T.S.No.226, Block No.18 and 33 Sq.mts comprised in T.S.No.85, Block No. 16 of Kolathur Village i.e., totally measuring 313 sq.mts. While so, some third parties prevented the petitioner from entering the subject property stating that it is a water body. Hence, the petitioner made a complaint before the third respondent and further the second respondent has also sent a report stating that the subject land is not a water body. It is the grievance of the petitioner that during the town survey, his land was marked as Corporation Road Poramboke.

<https://www.mhc.tn.gov.in/judis> 3. Earlier, the petitioner made application for issuance of patta before the



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District Collector, Chennai which was rejected vide order dated 03.03.2017, against which, the petitioner filed appeal before the Chief Secretary/Commissioner, Land Administration, which was forwarded to the Commissioner of Survey and Settlement Office which was subsequently forwarded to the Settlement Officer, Chennai for consideration. The Settlement Officer, Chennai vide proceedings in Na.Ka.E4/8640/2017 dated 18-01-2019 passed order stating that the lands in captioned Town Survey was mentioned as Road in survey records were not stated that it has been gifted to the Corporation of Chennai and changed as Road. Hence, the petitioner made a representation to the first respondent to implement the order of the Settlement Officer on 29.01.2019 which is pending without consideration. Hence, this petition.

4.The learned counsel for the petitioner confines his prayer seeking this Court for a direction to the first respondent to implement the order passed by the Settlement Officer in proceedings vide Na.Ka.E4/8640/2017 dated 18-01-2019 by considering the representation of the petitioner dated 29.01.2019 within a reasonable time as fixed by this Court.

5. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the



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materials available on record.

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6. Considering the facts and circumstances of this case and having regard to the submissions of the learned counsel, this Court directs the first respondent to implement the order passed by the Settlement Officer in proceedings vide Na.Ka.E4/8640/2017 dated 18-01-2019 by considering the representation of the petitioner dated 29.01.2019 and pass appropriate order(s) on merits and in accordance with law after providing opportunity of hearing to the petitioner as well as any other interested parties, within a period of twelve weeks from the date of receipt of copy of this order, if there is legal impediment.

7. With the above direction, this writ petition is disposed of. No costs.

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Index:Yes/No

Internet: Yes/No

M.DHANDAPANI, J.

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4. The Public Prosecutor
Madras High Court, Chennai

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