



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.31066 of 2019

B.Shankaran

... Petitioner

-Vs-

1. The State of Tamil Nadu
rep. by its Secretary,
Land Administration,
Fort St. George,
Chennai - 600 009.

2. The Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai - 600 032.

3. The Tahsildar,
Mylapore - Triplicane Taluk,
No.28, Greenways Road,
Chennai - 600 028.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second and third respondents to issue a patta in favour of the petitioner in respect of property situated at New No.125, Old No.60, Dr.Natesan Road, Triplicane, Chennai - 600 005, comprised under Survey No.1022/1 part.

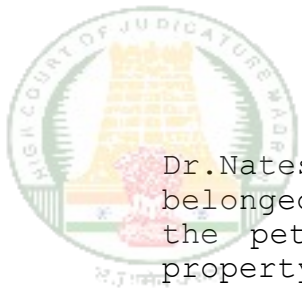
For Petitioner : Mr.S.Stanley John

For Respondents: Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

The Writ Petition has been filed to direct the second and third respondents to issue a patta in favour of the petitioner in respect of property situated at New No.125, Old No.60, Dr.Natesan Road, Triplicane, Chennai - 600 005, comprised under Survey No.1022/1 part.

2. The case of the petitioner is that the property comprised in survey No.1022/1 situated at New No.125, Old No.60,



Dr.Natesan Road, Triplicane, Chennai - 600 005, originally belonged to the petitioner's father. After demise of his father, the petitioner and other legal heirs are living in the said property. Therefore, the petitioner applied for patta by the representation dated 07.09.2018 to the third respondent. Since, there was no response from the respondents and therefore, the petitioner filed this Writ Petition.

3. Heard Mr.S.Stanley John, learned counsel appearing for the petitioner and Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the respondents.

4. On perusal of the counter filed by the third respondent revealed that the land comprised in survey No.1022/1 classified as "Circar Poramboke" to an extent of 1.77.81½ hectares and the Adangal also stands in the name of the Hazrath Nawam Mohammed Shahul Mullah Burial Ground. Therefore, the request made by the petitioner was rejected by the third respondent, since the subject land is classified as "Circar Poramboke" and utilized as burial ground. The neighbours of the petitioner already issued with patta in survey No.1022/9 and 1022/9 in block No.21 of Mylapore Village and both are individual plots and it does not come under the classification of Circar Poramboke. Therefore, the petitioner is not entitled for any patta for the said land. In fact, the request made by the petitioner was rejected by the third respondent. Therefore, the Writ Petition is devoid of merits and is liable to be dismissed.

5. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Secretary
State of Tamil Nadu,
Land Administration,
Fort St. George,
Chennai - 600 009.



2. The Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai - 600 032.

3. The Tahsildar,
Mylapore - Triplicane Taluk,
No.28, Greenways Road,
Chennai - 600 028.

+1cc to the Government Pleader, S.R.No.4925

W.P. No.31066 of 2019

PCH (CO)
CT 16/02/2022