

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17392 of 2017

and

W.M.P.Nos.18882 & 35973 of 2017

1. Arul
2. N.Saravanan
3. S.Marimuthu
4. S.Sudar
5. A.Muthulakshmi
6. Sheela Rani.M @ Sheela Kumari
7. T.Nadimuthu
8. V.Srinivasan
9. A.Natarajan
10. N.Lakshmi
11. S.Shanmugathai
12. N.Subashini

...Petitioners

Vs.

1. Government of Tamil Nadu,
Rep. by its Chief Secretary to Government,
Fort St. George, Chennai - 600 009.
2. Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 009.
3. The District Collector,
Kancheepuram District,
Kancheepuram.
4. The Revenue Divisional Officer,
Kancheepuram District,
Kancheepuram.
5. The Tahsildhar,
Thirukazhakundram Taluk,
Kancheepuram District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue computerized Patta for the lands situated in Chenglepet District, (now Kancheepuram District) Chenglepet Taluk, (now Thirukazhakundram Taluk) and Kadambadi Village comprised in Survey No.268, assigned under collector's proceedings, viz., Collector, Kancheepuram R.Dis.114012/97-B2 dated 18.11.1997 and followed by Tahsildhar order dated 27.12.1997 in the name of the petitioners.

For Petitioners : Mr.G.Veerapathiran

For Respondents : Mr.Yogesh Kannadasan, Spl.GP

O R D E R

The petitioners have filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioners' letter dated 20.04.2015 in the light of the proceedings of the 3rd respondent in R.Dis.114012/97-B2 dated 18.11.1997, followed by the order of the 5th respondent dated 27.12.1997 and issue computerized Patta in their favour.

2. The case of the petitioners is that originally the land comprised in Survey No.268, measuring an extent of 14 Hectares and 27 ares, situated at Chengalpet District, Chengalpet Taluk and Kadambadi Village belonged to respondent Government. Thereafter, the same was assigned in favour of the petitioners and assignment patta for the same was issued in their favour in the year 1997 and subsequently, the petitioners' names were also entered in the Village accounts. Since, no permanent patta was issued in favour of the petitioners, they made an application dated 10.01.2011 before the 4th respondent for issuance of Ryotwari patta, however, there was no response. Therefore, the petitioners sent a letter dated 20.04.2015 to the 4th respondent, seeking for issuance of computerized patta in their favour, however, till date, no orders have been passed. Hence, the present Writ petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the 5th respondent to consider the petitioners' letter dated 20.04.2015 and issue computerised patta in their favour as early as possible.

4. Learned Special Government Pleader appearing on behalf of the respondents has no serious objection for the said order being passed and he fairly conceded that the petitioners' letter dated 20.04.2015 will be considered and appropriate orders will

be passed within the time stipulated by this Court.

5. In view of the above submissions, this Court without expressing any opinion on the merits of the case issues direction to the 5th respondent to consider the petitioners' letter dated 20.04.2015 in the light of the proceedings of the 3rd respondent dated 18.11.1997 in R.Dis.114012/97-B2 and the subsequent order dated 27.12.1997 passed by the 5th respondent and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

skt
To

1. The Chief Secretary to Government,
Fort St. George, Chennai - 600 009.
2. The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 009.
3. The District Collector,
Kancheepuram District,
Kancheepuram.
4. The Revenue Divisional Officer,
Kancheepuram District, Kancheepuram.
5. The Tahsildhar,
Thirukazhakundram Taluk,
Kancheepuram District.

+12ccs to Mr.G.Veerapathiran, Advocate SR.No.40497
+1cc to Government Pleader SR.No.41385

W.P.No.17392 of 2017
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SSI(CO)
GMY(15/07/2022)