



W.P.No.34079 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.34079 of 2019

R.Gandhi

...Petitioner

Vs.

1.The State of Tamilnadu rep by its
Secretary, Revenue Department
Fort St.George,
Chennai-9

2.The Member Secretary
CMDA, 1 Gandhi Irwin Road
Egmore, Chennai-600 008

3.Block Development Officer
St.Thomas Mount Panchayat Union Office
Chitlapakkam-chromepet
Tambaram Taluk
Kancheepuram District

4. The Commissioner
St.Thomas Mount Panchayat Union Office
Chitlapakkam
Chennai-600 064

5.District Collector
Chengalpattu District, Chengalpattu



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6.District Revenue Officer
Chengalpattu District
Chengalpattu

7.Tahsildar
Tambaram Taluk, Taluk office
building 1st floor, GST road,
Tambaram -600 045

R5 to R7 impleaded vide order
dated 08.12.2022 made in
W.M.P.No.32376 of 2022
in W.P.No.34079 of 2019
by NSKJ

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the second respondent to complete the enquiry with regard to the entry in Master Plan II pertaining to the S.No.8/1 Kaspapuram village, Tambaram Taluk, Kancheepuram and made correct entries considering the revenue and other records in the master plan – II as directed by this Court in W.P.No.29347 of 2017 on 18.12.2017 within a stipulated time to enable the petitioner to construct a house in the said property.

For Petitioner : Mr.P.Thiagarajan

For Respondents : Mrs.R.Anitha, Spl.G.P for R1, R3 to 7

No Appearance for R2



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ORDER

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Writ Petition is filed to issue a Writ of mandamus directing the second respondent to complete the enquiry with regard to the entry in Master Plan II pertaining to the S.No.8/1 Kaspapuram village, Tambaram Taluk, Kancheepuram and made correct entries considering the revenue and other records in the master plan – II as directed by this Court in W.P.No.29347 of 2017 on 18.12.2017 within a stipulated time to enable the petitioner to construct a house in the said property.

2. In an earlier occasion by order dated 18.12.2017 in W.P.No.29347 of 2017, this Court passed the following order:

“....

5. In view of the above, without going into the merits of the case, the 2nd respondent is directed to conduct an enquiry, after verifying the revenue records pertaining to S.No.8/1 of Kaspapuram Village, Tambaram Taluk, Chengalpattu District, make necessary corrections in Master Plan-II, if any mistake is committed by them and take possession of the land in question by removing the encroachers therein, within a period of two months from the date of receipt of a copy of this order. It



is needless to point out that the encroachers shall not be shown any indulgence and possession of Aadhar Card/Voter Identity Card/Passport will not be a ground for anyone, muchless the encroachers, who are residing in the place, to continue living there. It is made clear that in all the issues pertaining to the Master Plan referred to in this Writ Petition, the petitioner has to be given an opportunity of hearing, as he is the complainant.”

3. Pursuant to the same the enquiry was also conducted and the report is also received from the DRO by letter dated 26.01.2019. The letter sent to the Commissioner to the effect that the land in question is a patta land. The Commissioner has also forwarded a report on 22.09.2022 to CMDA. However, the grievance of the petitioner is that no orders have been passed so far.

4. As the revenue records indicate that the property belongs to the petitioner, there shall be a direction to the CMDA to make correct entries within a period of three months from the date of receipt of a copy of this order.



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5. With the above observation, the Writ Petition is disposed of. There

shall be no order as to costs.

19.12.2022

kpr

Internet:Yes

Speaking/non-speaking order

To

1.The Secretary, Revenue Department

State of Tamilnadu

Fort St.George, Chennai-9

2.The Member Secretary

CMDA, 1 Gandhi Irwin Road

Egmore, Chennai-600 008

3.Block Development Officer

St.Thomas Mount Panchayat Union Office

Chitlapakkam-chromepet

Tambaram Taluk, Kancheepuram District

4. The Commissioner

St.Thomas Mount Panchayat Union Office

Chitlapakkam, Chennai-600 064

5.The District Collector

Chengalpattu District, Chengalpattu

6.The District Revenue Officer

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7.The Tahsildar

Tambaram Taluk, Taluk office

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N. SATHISH KUMAR, J.

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