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W.P No.5735 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P No.5735 of 2023

D.Muthu

...Petitioner

Vs.

1. The District Collector,
Chennai District ,
O/o. District Collectorate,
Rajaji Salai, Chennai-600 001.

2. The Tahsildar,
Ayanavaram Taluk,
Chennai-600 102.

3. The Chairman cum Managing Director,
TamilNadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chepauk, Chennai-600 005.
(R3 suo motu impleaded vide order
dated 11.08.2023)

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st respondent herein to pass appropriate orders letter in R.C.No.A4/1266/2022 dated 17.05.2022 of the 2nd respondent for classifying the land comprised in T.S.No.133, Block No.13, Ayanavaram Village, Egmore, Nungambakkam Taluk, Chennai District from "Circar Poromboke to Ryotawari Manai" and issue patta in the name of Tamilnadu Urban Habitat Development Board (TNUHDB) erstwhile TamilNadu Slum clearance Board (TNSCB) consequently directing the 2nd respondent to issue patta to the petitioner's



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land bearing plot No.133/15, Thiruvalluvar Nagar, Aminjikarai, Chennai-600 102, comprised in Survey No.133, Block No.13, measuring an extent of 50 Sq.mts as per document and 828 Sq.ft as per property tax receipt Ayanavaram Village, Egmore, Nungambakkam Taluk, Chennai District.

For Petitioner : M/s.D.Sathya

For Respondents 1 & 2 : Mr.T.Arunkumar ,
Additional Government Pleader

For Respondent 3 : Mr.M.Babu Muthu Meeran

ORDER

The relief sought for in this writ petition is to direct the first respondent herein to pass appropriate orders considering the letter in R.C.No.A4/1266/2022 dated 17.05.2022 of the second respondent for classifying the land comprised in T.S.No.133, Block No.13, Ayanavaram Village, Egmore, Nungambakkam Taluk, Chennai District from "Circar Poromboke to Ryotawari Manai" and issue patta in the name of Tamilnadu Urban Habitat Development Board (TNUHDB) erstwhile TamilNadu Slum clearance Board (TNSCB) and consequently, direct the second respondent to issue patta to the petitioner's land bearing plot No.133/15, Thiruvalluvar Nagar, Aminjikarai, Chennai-600 102, comprised in Survey No.133, Block No.13, measuring an extent of 50 Sq.mts as per document and 828 Sq.ft as per property tax receipt Ayanavaram Village, Egmore, Nungambakkam Taluk, Chennai District.



2. The petitioner submitted an application for grant of patta under the provisions of the Tamil Nadu Patta Pass Book Act, 1983. The second respondent Tahsildar, Ayanavaram Taluk has not considered the application on the ground that the Tamilnadu Urban Habitat Development Board has not given the layout to the competent authorities enabling them to grant patta. However, the sale deed had already been executed in favour of the writ petitioner by the third respondent.

3. The learned counsel appearing on behalf of the third respondent made a submission that the sale deed has already been executed in favour of the writ petitioner. That apart, the layout approval and all the relevant proceedings were also submitted before the first and second respondents.

4. The third respondent/Managing Director in his letter in Na.Ka.No.Ni/Aa.2(4)/7259/2023 dated 17.08.2023 had communicated the letter to the District Collector, Chennai District along with a copy of the approved layout. The said copy has been furnished before this court.

5. Since the layout approval has also been submitted to the District Collector by the third respondent, there is no impediment for the second respondent to grant patta in favour of the writ petitioner. Accordingly, the second respondent is directed



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to grant patta in favour of the writ petitioner in respect of the subject property within a period of two (2) weeks from the date of receipt of copy of this order.

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6. With this direction, the writ petition stands **allowed**. No costs.

7. . The learned Additional Government Pleader made a submission that he will communicate this order immediately to the second respondent/Tahsildar, Ayanavaram Taluk enabling him to issue necessary patta in favour of the writ petitioner.

8. Post this matter on 21.09.2023 for reporting compliance.

30.08.2023

nl/gvn

Index : Yes

Speaking Order

Neutral Citation Case : Yes



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S.M.SUBRAMANIAM, J.

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