



W.A.No.2973 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1. The District Collector
Kanchipuram District, Kanchipuram.
 2. The Tahsildar
Alandur Taluk, Alandur, Chennai
now at Pallavaram Taluk
Pallavaram, Chennai.
- .. Appellants

Vs.

1. M.Murugesan
2. The Commissioner
Pallavaram Municipality
Chrompet, Chennai.
3. V.Ramanathan
4. Krishnan
5. Jayachandiran
6. Rajieev
7. Shanmuganathan
8. Kasturi
9. Vijayalakshmi

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10. Rajeswari
11. Kalaiselvi
12. Nithya Bakkikananda @ Valli
13. A.Loganayagi
Respondents

..

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 12.08.2022 in W.P.No.15539 of 2017.

For the Appellants : Mr.J.Ravindran
Additional Advocate General
assisted by Mrs.R.Anitha
Special Government Pleader

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

Heard Mr.J.Ravindran, learned Additional Advocate General, assisted by Mrs.R.Anitha, learned Special Government Pleader appearing for the appellants.

2. Learned Additional Advocate General submits that the land in question are private patta lands.

3. In fact, the learned Single Judge, in paragraph 4 of the impugned order, has observed that "*this Court issued notice to the*



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Tahsildar to file a status report with regard to the above said survey in question and directed to find out as to whether it is a "Malaiporambokku" or private patta land". The Tahsildar appeared before the Court and submitted that S.No.341/9 is classified as Malaiporambokku and agreed to reconsider the issue and further undertook that if any encroachment is found out in the survey number in question, the same will be removed.

4. Today, learned Additional Advocate General submits that the submissions made by the Tahsildar was wrong. It is submitted that the records speaks otherwise. The records shows that in the said land, pattas were issued to various persons.

5. The order of the learned Single Judge, as it stands, cannot be faulted with. Specific directions were given to the Tahsildar to file a status report with regard to the land in question as to whether it is Malaiporambokku or private patta land. It appears that after the Tahsildar appeared and clarified the nature of the land as



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Malaiporambokku, the Court had passed the orders.

6. Learned Additional Advocate General submits that he would file a review petition before the learned Single Judge.

7. The present appellants may file a review petition before the learned Single Judge and bring all the facts to the notice to the learned Single Judge. In that event, all contentions raised in the present appeal are kept open. For a period of two weeks, further steps with regard to contempt may not be undertaken.

8. The writ appeal, as such, stands disposed of with liberty as aforesaid. There will be no order as to costs. Consequently, C.M.P.No.24646 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)
06.11.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

1. The Commissioner
Pallavaram Municipality
Chrompet, Chennai.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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