



WEB COPY



W.P.No.20849 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.20849 of 2023

S.Gunasekaran

... Petitioner - in - Person

Vs.

1.The District Collector
District Collector Office
Chennai 600 001

2.The Commissioner of Police
Commissioner of Police Office
Veppery, Chennai 600 007

3.The Assistant Commissioner
Chennai Corporation Zone – I
Thiruvottiyur, Chennai 600 019

4.The Assistant Revenue Officer
Chennai Corporation Zone – I
Thiruvottiyur, Chennai 600 109

5.The Special Tahsildar
Land Town Survey and Settlement
Thiruvottiyur, Chennai 600 019

6.The Inspector of Police
H-8, Thiruvottiyur Police Station
Thiruvottiyur, Chennai 600 019

7.R.Maipandi

8.R.Yesraj

9.R.Sivalingam

10.R.Mahalingam

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, direct requested the respondents 1, 3 and 5 to give permission to the petitioner to rebuild the house in survey No.237/1, TS.No.18, North Mada Street, Thiruvottiur. So, that the petitioner requests this Court to build the house and to live with his family.

For Petitioner : S.Gunasekaran – Party in Person

For Respondents : Mr.V.Manoharan
Addl. Govt. Pleader for 1, 2, 5 and 6

Mr.E.C.Ramesh
Standing Counsel for Chennai Corporation
R3 and R4

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this petition, requesting the respondents 1, 3 and 5 to give permission to the petitioner to rebuild the house in survey No.237/1, TS.No.18, North Mada Street, Thiruvottiur.

3.Mr.V.Manoharan, the learned Additional Government Pleader takes notice for respondents 1, 2, 5 and 6. Mr.E.C.Ramesh, the learned Senior Counsel takes notice for the Chennai Corporation, the 3rd and 4th respondents herein.



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4. During enquiry, this Court comes to understand that the property on which the petitioner seeks to put up his residence is a poromboke piece of property.

Therefore, unless the land is assigned to the petitioner in a manner known to law or unless it is a Natham Poromboke, the petitioner may not be able to put up a construction as of right.

5. The petitioner is now required to approach the 1st respondent, the District Collector with a fresh application, outlining all his requirements. On receipt of any such representation, the 1st respondent may either personally or through the appropriate authority cause an enquiry into the matter and consider the representation of the petitioner and dispose of the same strictly in accordance with law.

6. This writ petition stands disposed of accordingly. No costs.

14.07.2023

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Index : Yes / No

Neutral citation : yes/no



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