



WEB COPY

W.P.No.23323 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23323 of 2023

Mr.D.Hari Babu

... Petitioner

Vs.

1.The District Collector,
Chengalpattu District,
Chengalpattu – 603 002.

2.The District Revenue Officer,
The District Revenue Office,
Chengalpattu – 603 002.

3.The Tahsildar,
Vandalur Taluk,
Chengalpattu.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent herein to issue patta based on the petitioner's application dated 14.09.2022 by conducting enquiry.

For Petitioner : Mr.R.Venkatesh

For Respondents : Mr.E.Sundaram
Government Advocate



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ORDER

The relief sought for in the present writ petition is to direct the 3rd respondent to issue patta based on the application submitted by the writ petitioner on 14.09.2021.

2. The petitioner submitted an application for grant of patta in respect of the property situated at No.8, Madurai Veeran Street, 1st Street, Ayyan Cherry, Uurapakkam, Vandalur Taluk, S.No.28/2 to an extent of 4200 Sq.ft. The petitioner states that he is in possession and enjoyment of the subject property to an extent of 2100 Sq.ft. The representation submitted by the writ petitioner for grant of patta was not considered and thus, the petitioner is constrained to move the present writ petition.

3. The learned Government Advocate appearing on behalf of the respondents relying on the written instructions given the Tahsildar, Vandalur Taluk in letter dated 12.08.2023 has stated that the subject property has been classified as Vacant Government Poromboke and therefore, the petitioner is not entitled to claim patta.



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4. The learned counsel for the petitioner contended that in respect of the neighbours in that locality patta had already been granted. It is clarified that a particular locality is falling within the Chennai belt area and therefore, free patta cannot be granted by the Tahsildar or by the competent authority. If at all it is to be assigned in favour of the private individual, then the Government has to take a decision and the Tahsildar and other Revenue Authorities are incompetent to grant patta in respect of Chennai belt area and more so, the subhject propeirty is classified as Government Poromboke.

5. If at all the petitioner is eligible for free house site patta and if he is a landless poor person, then he is at liberty to submit an application to the competent authorities and in such an event the application is to be considered, if any scheme is in force and considering the eligibility of the petitioner by scrupulously following the terms and conditions stipulated by the Government.



6. With these observations, this Writ Petition stands dismissed. No costs.

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14.08.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The District Collector,
Chengalpattu District,
Chengalpattu – 603 002.
- 2.The District Revenue Officer,
The District Revenue Office,
Chengalpattu – 603 002.
- 3.The Tahsildar,
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S.M.SUBRAMANIAM, J.

Jeni

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