



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.25858 of 2022

Nethaji Subash Chandra Bose Defence Colony
Maji Ranuvam Mattrum Harijana Seva Sangam
Regn. No.384/98
Rep. by its President
S.Periyasamy
Thanthai Periyar Nagar
Korattur
Cennai - 600 080

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Revenue Department
Fort St. George
Secretariat, Chennai - 600 009
2. The Managing Director
SIDCO, Paul Wells Road
Kathipara Junction
Chennai - 600 016
3. The Special Commissioner & Commissioner
of Land Administration
Chepauk
Chennai - 600 005



4. The District Collector
Chennai
5. The District Revenue Officer
Chennai
6. The Tahsildar
Ambathur Taluk, Chennai District - 600 053
7. The Revenue Inspector
Ambathur Taluk
Korattur, Chennai District
8. S.Saravanan
(R8 impleaded as per order in
WMP No.10415 of 2023 dated 16.11.2023)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus after calling for the records concerned regarding the order passed by the 4th respondent in Na.Ka.No.22576/J5/2019 dated 02.06.2022 and quash the same and consequently direct the respondents to issue free house site patta to the members of the petitioner Sangam as per the order dated 26.04.2017 in W.P.No.17789 of 2012 and on the basis of the report submitted by the Revenue Authorities, within the time limit that may be fixed by this Court.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.Mr.Elangovan for R2
Mr.P.Gurunathan
Additional Government Pleader for
R1, R3 to R7
Mr.V.Govarthanan for R8



ORDER

The Writ Petition is filed seeking writ of Certiorarified Mandamus after calling for the records concerned regarding the order passed by the 4th respondent in Na.Ka.No.22576/J5/2019 dated 02.06.2022 and quash the same and consequently direct the respondents to issue free house site patta to the members of the petitioner Sangam as per the order dated 26.04.2017 in W.P.No.17789 of 2012 and on the basis of the report submitted by the Revenue Authorities, within the time limit that may be fixed by this Court.

2. Heard both sides and perused the materials available on record.

3. It is seen that already the petitioner-Sangam had filed W.P.No.17789 of 2012, which was dismissed on 26.04.2017, which was confirmed in W.A.No.3301 of 2019 on 01.10.2019. The main impugned order is passed by the District Collector/4th respondent rejecting the application filed by the petitioner Association for issuance of patta, on the ground that the members of the petitioner Association are economically well to do. But the writ petition has not been filed by an individual person and it has been filed by the Association. It is not known whether all the members of the Association are



well to do and the petitioner Association is not be in a position to give the details.

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4. Therefore, all the members of the Association are directed to approach the District Collector/R4 individually and make their representations within a period of one month from the date of receipt of a copy of this order. On receipt of such representations/applications, the District Collector/4th respondent shall conduct enquiry individually and ascertain their economical status and pass appropriate orders on merits and in accordance with law, by giving valid reasons for the same. If all the applicants are otherwise eligible, Patta shall be issued to them immediately and if any of the members is ineligible, the District Collector/4th respondent shall pass appropriate orders by giving valid reasons for the same.

5. It is made clear that all the members of the petitioner Association are directed to approach the District Collector/4th Respondent individually and make their applications/representations within a period of one month from the date of receipt of a copy of this order and the District Collector/4th respondent, shall consider their applications/representation within a period of two months thereon and all the said exercises shall be completed within a



period of three months. Further, if the members of the petitioner Association are already in possession of the subject property, the official respondents shall not disturb their possession until they decide the matter on merits.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

16.11.2023

(2/2)

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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Revenue Department
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Secretariat, Chennai - 600 009
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7. The Revenue Inspector
Ambathur Taluk
Korattur, Chennai District



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W.P. No.25858 of 2



P.VELMURUGAN. J.

Ksa-2

W.P. No.25858 of 2022

16.11.2023
(2/2)