



WEB COPY

WP No.9340 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.9340 of 2017

M/s.P.C.M.Sons, Represented by its
Managing Partner,
No.131, G.N.Chetty Road,
T.Nagar,
Chennai-600 017.

... Petitioner

Vs.

- 1.The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.
- 3.The District Collector,
Kancheepuram/Chingleput District,
Kancheepuram/Chingleput.
- 4.The District Revenue Officer,
Chingleput,
Kancheepuram.



5. The Tahsildar,
Saidapet,
Chennai-600 015.

6. The Secretary,
St. Thomas Mount Cantonment,
St. Thomas Mount,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to consider and pass appropriate orders in accordance with law on the representation dated 20.02.2017 of the petitioner for inclusion of 7 acres and 22703 of sq.ft. of land in Survey No.435 of St. Thomas Mount Village, Saidapet Taluk under the schedule to the Tamil Nadu Levy of Ryotwari Assessment on Freehold Lands Act, 1972 (Tamil Nadu Act 31 of 1973) and issue appropriate Ryotwari Patta for the said lands.

For Petitioner : Mr.C.V.Subramanian

For Respondents-1 to 5 : Mr.N.Naveenkumar,
Government Advocate.

For Respondent-6 : Mr.C.Mohan for
M/s.King and Partridge.

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 6 to consider and pass appropriate orders in accordance



with law on the representation dated 20.02.2017 of the petitioner for inclusion of 7 acres and 22703 of sq.ft. of land in Survey No.435 of St. Thomas Mount Village, Saidapet Taluk under the schedule to the Tamil Nadu Levy of Ryotwari Assessment on Freehold Lands Act, 1972 (Tamil Nadu Act 31 of 1973) and issue appropriate Ryotwari Patta for the said lands.

2. The present writ petition has been instituted for grant of patta in favour of the petitioner M/s.P.C.M.Sons.

3. The learned counsel appearing on behalf of the sixth respondent-The Secretary, St. Thomas Mount Cantonment, furnished the copy of the order passed by the Hon'ble Division Bench of this Court on 07.06.2023 in a batch of writ petitions, wherein the writ petitioner also filed writ petition in WP No.34465 of 2022.

4. The land encroachment proceedings are initiated and pending before the State Government and the petitioner was also considered as an encroacher.



5. When the land encroachment proceedings are pending and the writ petition filed by the present writ petitioner challenging the encroachment proceedings are disposed of by the Hon'ble Division Bench of this Court, the question of granting patta would not arise at all.

6. Only after conclusion of all these proceedings, the petitioner is at liberty to approach the Competent Authorities for grant of patta or for cancellation of patta, if the petitioner is otherwise entitled.

7. With the above liberty, the writ petition stands disposed of. However, there shall be no order as to costs.

09-06-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.
3. The District Collector,
Kancheepuram/Chingleput District,
Kancheepuram/Chingleput.
4. The District Revenue Officer,
Chingleput,
Kancheepuram.
5. The Tahsildar,
Saidapet,
Chennai-600 015.
6. The Secretary,
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S.M.SUBRAMANIAM, J.

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