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W.P.No.33228 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33228 of 2022 &
W.M.P.No.14362 of 2023

1.Kaniammal
2.Haridoss
3.Natarajan
4.Sriramulu
5.Janaki
6.Pushpa

...Petitioners

Vs.

The Tahsildar,
Ayanavaram Taluk,
Ayanavaram Taluk Office,
No.18/31, Palliarasan Street,
Aspiran Garden Colony,
Kumaran Nagar,
Kilpauk,
Chennai – 600 010

..Respondent

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to remove the indication entered in Online patta issued by the respondent dated 09.09.2016 as “Blocked T.S.No.10/0” and consequently, issue a fresh patta in favour of the petitioners on the basis of the petitioners' representation dated 28.03.2022 and 01.07.2022.



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For Petitioner : Mr.B.Govindaprabhu
For Respondent : Mr.P.Sathish,
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondent to remove the indication entered in the online patta issued by the respondent dated 09.09.2016 as “Blocked T.S.No.10/0” and consequently, issue a fresh patta in favour of the petitioners.

2. The petitioners state that the petitioners inherited the subject property described in the writ petition from one Venugopal (deceased) who is the husband of the first petitioner and father of the petitioners 2 to 6. The petitioners found that in the online patta of the said land, there is an indication “ Blocked T.S.No.10/0”. In view of the said indication in the online patta, the petitioners are not in a position to alienate the subject property which is belonging to them. The petitioners state that they are paying the urban land tax and thereafter, submitted a representation to the respondent to remove the indication in the online patta. Since no action has been taken, the petitioners are constrained to move the present writ petition.



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3. Learned Special Government Pleader relying on the counter affidavit filed by the Tahsildar, Ayanavaram Taluk made a submission that as per the manual town survey land records, the subject land was originally classified as “Anadheenam” as per the Commissioner of Land Acquisition proceedings dated 19.08.2002. Thereafter, the names of the petitioners 1 to 6 have been entered in the said Register and the back disposal number for the said Transfer of Register is furnished TR/2205/05 dated 25.09.2005. The entry as “Anadheenam” was made based on the order of the Commissioner of Land Administration dated 19.08.2004. Moreover, the said blocking of the computerised record is bound to have been made under the Prevention of Money Laundering Act, 2002. However, the petitioners have failed to implead the concerned authorities of Money Laundering Act, 2002.

4. Learned Special Government Pleader made a submission that the blocking was made both on the ground that the land was classified as “Anadheenam” and the enforcement directorate has invoked the provision of Money Laundering Act and attached the property.



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5. Innocent buyers are to be protected from the purchase of such lands which all are attached by the competent enforcement directorate and more so, in the present case, the land is classified as Anadheenam and for all these reasons, the petitioners are not entitled for the relief as such sought for in the present writ petition. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2023

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Index : Yes

Speaking order

Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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