



W.P.No.737 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.737 of 2024

Rajathi

... Petitioner

Versus

1.The District Collector,
Rajaji Salai, 4th Floor,
62, Beach Road,
George Town, Chennai.

2.The Revenue Divisional Officer,
Chennai Central,
Ambattur,
Chennai.

3.The Tahsildar,
Ayanavaram,
Chennai.

4.The Commissioner,
Corporation of Chennai,
Rippon Building,
Poonamallee High Road,
Chennai – 600 003.



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5.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation,
No.36B, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

6.The Executive Engineer,
Zone VI, Greater Chennai Corporation,
No.158, Strahans Road, Pattalam,
Chennai – 600 012.

7.The Zonal Officer,
Zone VI, Greater Chennai Corporation,
No.158, Strahans Road, Pattalam,
Chennai – 600 012.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 13.11.2023 and issue patta for the property admeasuring 382.5 Sq.Ft. along with a pathway admeasuring 3 30 ft. to access the property situated at Old S.No.75, New S.No.61, Venkat Nagar, School Road, Kolathur, Chennai – 600 099.

For Petitioner : Mr. R. Rajarajan

For Respondents : Mr. R. Vigneshwaran (for R1 to R3)
Government Advocate

: Mrs. P.T. Ramadevi (for R4 to R7)
Standing Counsel for
Greater Chennai Corporation



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ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representation dated 13.11.2023 and for issuing Patta.

2. The learned Standing Counsel appearing for the official respondents 4 to 7/ Corporation of Chennai submitted that the land was encroached by the petitioner and a Notice under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, vide No.Z.O.VI.C.No.6522 -19 /2023, dated 01.11.2023, has been served on the petitioner and all encroachers like the petitioner, and a copy of the same was also produced before this Court. Therefore, the petitioner is not entitled for the relief sought for in the Writ Petition.

3. It is seen from that the fifth respondent has already sent the above said notice to the encroachers and after receiving the notice, instead of challenging the said notice, or avail the remedy in the manner known to law, the petitioner has suppressed the facts and filed the present Writ Petition to consider her representation dated 13.11.2023.



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4. Therefore, the petitioner has not approached this Court with clean hands and suppressed the facts. Hence, the petitioner is not entitled to the extraordinary relief under Article 226 of the Constitution of India.

5. With the above observations, the Writ Petition is dismissed.

No costs.

11.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

klt

To:

1.The District Collector,
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2.The Revenue Divisional Officer,
Chennai Central,
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- 3.The Tahsildar,
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P. VELMURUGAN, J.

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