



W.P.No.2731 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

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R.Arjunan

... Petitioner

Vs.

1. The District Collector,
Thiruvannamalai,
Thiruvannamalai District.
2. The RDO,
Thiruvannamalai,
Thiruvannamalai District.
3. The Thasildar,
Thiruvannamalai,
Thiruvannamalai District.
4. The Block Development Officer,
Thiruvannamalai,
Thiruvannamalai District.
5. The Commissioner of Panchayat,
Thiruvannamalai Panchayat Union,
Thiruvannamalai,
Thiruvannamalai District.
6. The Assistant Director,



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Directorate of Town and Country Planning,
No.27/A, Manaloorpettai Road,
Mariamman Koil Street,
Tiruvannamalai.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to survey the land comprised in old Sy No. 11/2C, 12/1, 12/2, 12/3 and 16/1 New Sy.No. 14/1A1, 14/1AAA, 14/1C1 at Sokeezhnanchipattu Village and cancel the patta standing in the name of individual owners with respect to the common property namely the community hall and the park situated at JP.R.A. Nagar So.Keezhnachipattu Village Tiruvannamalai and transfer the revenue records in the name of the Panchayat and in order to enable the Village Panchayat to take appropriate steps and measures for utilizing the land for the intended purpose for which it was earmarked.

For Petitioner : Mr.R.Rajarajan

For R1, R2, R3 & R6: Mr.A.Selvendran
Special Government Pleader

For R4 & R5 : Mr.E.Vijay Anand
Additional Government Pleader

ORDER



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This Writ Petition has been filed to issue a Writ of Mandamus, to direct the third respondent to survey the land comprised in old Sy No. 11/2C, 12/1, 12/2, 12/3 and 16/1 New Sy.No. 14/1A1, 14/1AAA, 14/1C1 at Sokeezhnanchipattu Village and to cancel the patta standing in the name of individual owners with respect to the common property namely the community hall and the park situated at JP.R.A. Nagar So.Keezhnachipattu Village, Tiruvannamalai and transfer the revenue records in the name of the Panchayat and in order to enable the Village Panchayat to take appropriate steps and measures for utilizing the land for the intended purpose for which it was earmarked.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader and Additional Government Pleader appearing for the respondents.

3. Learned counsel for the petitioner submitted that land



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owners gifted the subject land in favour of Sokeezhnachipattu village panchayath by way of registered settlement deed bearing D.No.1076/1987 in order to form a lay out. Based on the document, the petitioner Panchayath has made an application before the respondents to conduct survey and to transfer the patta in name of Panchayath. So far the respondents have not considered the petitioner representation with regard to the same. Hence, the petitioner Panchayath approached this Court by way of this writ petition.

4. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the third respondent to consider the petitioner's representation dated 05.11.2023, if the petitioner is otherwise eligible and after issuing notice to the petitioner, adjacent land owners of the four boundaries of the subject property/interested parties/rival claimants/objectors if any, as the case may be, if already not issued and conduct enquiry and survey in the manner known to law, if already not



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conducted and pass orders on merits and in accordance with law, if already not passed. The abovesaid exercise shall be completed within a period of three months.

5. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

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