



W.P.No.3064 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.3064 of 2024

and

W.M.P.Nos.3349 & 3350 of 2024

1. Venkatesan
- 2 Chinnan
- 3 Gopal
- 4 Saala
- 5 Gowri
- 6 Laxmi
- 7 Kanniga
- 8 Anitha
- 9 V.Nagarajan
- 10 Matheswari
- 11 Chinnathambi
- 12 Eshwari



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13 G. Narasammal

14 Meenatchi

15 Laxhmi

16 Maadhu

17 Sarasu

18 Murugesan

19 Vengatesan

20 Santhi

21 M.Saravanan

22 C.Nagaraj

23 R.Ramesh

24 Murali

25 Alamelu

26 Kumar

27 V.Sivakumar

28 C.Sureshkumar

29 Bharath

30 Vengatesan



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31 K.Ramu

32 Laxmi

33 Pradhap

34 Sakthivel

35 Kavitha

36 Arun

37 Jayalaxmi

38 Vengatammal

39 J.Nagaraj

40 M.Krishnan

41 Rajeshwari

42 Bathma

43 Ellamal

44 Anitha

45 Lavanya

46 Papathi

47 Santhi

48 Radha



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49 Amulu

50 Kothai

51 Narasimman

52 Vengatesan

53 Chinnapapa

54 Amsa

55 Senthilmurugan

56 Rani

57 Niththiya

58 Kanagavalli

59 Kannan

60 Maniyammal

61 Elumazhai

62 S. Mangammal

63 Sumathi

64 Balamurugan

65 Anu priya

66 Parameshwari



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67 Vasanth

68 Nagarani

69 Santhi

70 Ramu

71 Vengatesan

72 Mohan

73 Vaani

74 Nagammal

75 M.Nanthini

76 Muthuselvan

77 Jayalaxmi

78 N.Devi

79 N.Vanitha

80 Sumathi

... Petitioners

Vs.

1 The Director
Directorate of Municipal Administration,
75 Urban Administrative Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai 600028.



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2 The District Collector
Tirupathur District.

3 The Revenue Divisional officer,
Tirupathur Division,
Tirupathur District.

4 The Tahsildar
Tirupathur,
Tirupathur District.

5 The Commissioner,
Tirupathur Municipality.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to issue pattas to the Petitioners for their houses at Town Survey Nos.4/2 5/1 and 5/2 TMC Colony Tirupathur Town Tirupathur District based on the petitioners representation dated 08.01.2024 submitted to the Respondents.

For Petitioners : Mr.A.Suresh Sakthi Murugan

For R1 to R4 : Mr.T.Arunkumar
Additional Government Pleader

For R5 : No appearance



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the year 1973 itself. The fifth respondent/Municipality passed a resolution for issuance of Patta to the petitioners in the year 2005 and requested the Commissioner of Municipal Administration, Chennai to accord permission for issuance of Patta. But during the year 2022-2023, the fifth respondent/Municipality planned to construct a commercial complex in the subject land, after evicting the petitioners. Though the petitioners made representations before the respondents with regard to issuance of Patta, so far, no order has been passed on the petitioners' representations.

4. Learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the land in question belongs to the Municipality. For the improvement of the Municipality, the Government has taken their decision.

5. On a perusal of the records, it is seen that the land in question was originally described as Government “Poramboke land” and the petitioners and their ancestors have occupied the subject land over and



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above the statutory period. At one point of time, the Municipality has also decided to give lands to the petitioners and subsequently, they have not issued Patta to the same. Hence, occupation of the petitioners in the subject land is not disputed. The respondents have also admitted that the petitioners are Sweepers working in the Municipality. Hence, they are entitled to get shelter in their Municipality.

6. Hence, the second and third respondents are directed to consider the petitioners' representations dated 08.01.2024 and they are also directed to take steps to get “No Objection Certificate” from the first and fifth respondents. The first and fifth respondents are directed to speed up the formalities and send a communication to the second and third respondents, without any delay. The second and third respondents are directed to issue notice to all the petitioners and also to fifth respondent and conduct enquiry in accordance with law within a period of four weeks and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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7. With the abovesaid directions, the Writ Petition is disposed of.

There shall be no order as to costs. W.M.P.No.3349 is ordered and the petitioners are permitted to jointly file a single writ petition on payment of single Court fee. Consequently, connected miscellaneous petition in W.M.P.No.3350 of 2024 is closed.

23.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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