



*W.P.No.5296 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P.No. 5296 of 2024

and

W.M.P.Nos. 5822 and 5823 of 2024

B.Vanishree

... Petitioner

versus

- 1.The Collector,  
Office of the District Collector,  
Chennai District,  
Rajaji Salai, Chennai – 600 001.
- 2.The Commissioner of Land Survey,  
Directorate of Survey and Settlement,  
Central Survey Office, Survey House,  
PWD Estate, Chepauk, Chennai – 600 005.
- 3.The District Revenue Officer (South Chennai),  
Rajaji Salai, Chennai – 600 001.



*W.P.No.5296 of 2024*

WEB COPY

- 4.The Revenue Divisional Officer,  
R.D.O's Office, South Chennai Zone,  
Guindy, Chennai – 600 032.
- 5.The Tahsildar,  
No.3, Gandhi Road, 1<sup>st</sup> Main Road,  
Seva Nagar, Velacherry, Chennai – 600 042.
- 6.The Tahsildar,  
Guindy Taluk Office,  
Anna Salai, Guindy,  
Chennai – 600 032.
- 7.The Kasturba Nagar Residents Association,  
Its Rep.by President, No.5, 3<sup>rd</sup> Cross Street,  
Kasturba Nagar, Adyar, Chennai – 600 020.

....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of of Certiorarified Mandamus, to call for records, quash the impugned order dated 13.12.2023 passed by the third respondent vide proceedings reference Che.Mu.Aa.No.J14/e-1553791/2023 and consequently direct the sixth respondent to grant patta to the petitioner lands in Old Survey Nos.3,12/1,12/2 and 13 of Pallipattu Village and Old Survey



*W.P.No.5296 of 2024*

Numbers 18 and 19 of Kottur Village, measuring an extent of 5.95 acres in pursuance of the order of the fourth respondent dated 04.10.2023 within a reasonable time frame.

For Petitioner : Mr.N.Srinivas Jayaprakash  
For Respondents : Mr.J.Ravindran  
Additional Advocate General  
assisted by Mr.A.Selvendran  
Special Government Pleader  
for R1 to R6

Mr.K.V.Babu for R7

### **ORDER**

Mr.A.Selvendran, learned Special Government Pleader accepts notice for respondents 1 to 6 and Mr.K.V.Babu, learned counsel accepts notice for 7<sup>th</sup> respondent. With the consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to quash the impugned order in



*W.P.No.5296 of 2024*

Che.Mu.Aa.No.J14/e-1553791/2023 dated 13.12.2023 passed by the third respondent, and consequently direct the sixth respondent to grant Patta to the petitioner's lands in Old Survey Nos.3,12/1,12/2 and 13 of Pallipattu Village and Old Survey Numbers 18 and 19, Kottur Village, measuring to an extent of 5.95 acres, in pursuance of the order of the fourth respondent, dated 04.10.2023, within a reasonable time frame.

3. The learned counsel for the petitioner submitted that the petitioner has earlier given a representation to the fourth respondent/RDO, seeking to survey and issue Patta in her favour in respect of the subject properties and the same was rejected on 14.09.2022. Aggrieved by the same, the petitioner had filed a Review Application before the third respondent/DRO on 10.10.2022 and the third respondent, after enquiry directed the fourth respondent to pass orders and issue Patta. Pursuant to the same, the fourth respondent passed an order on 04.10.2023, directing the sixth respondent



*W.P.No.5296 of 2024*

herein to grant Patta in favour of the petitioner. As against the same, the seventh respondent/Association, which is a third party to the proceedings, filed a Review before the third respondent/DRO. The third respondent, without putting the petitioner on notice and giving an opportunity of hearing to the petitioner to make her submissions, on 13.12.2023 stayed the proceedings of the fourth respondent dated 04.10.2023.

4. Heard both sides and perused the materials available on record.

5. It is seen from the records that the petitioner herself has admitted that, based on the objections raised by the seventh respondent/Association, the fourth respondent herein issued notice to the petitioner and all other interested parties and the enquiry is also going on. Further, the order impugned in this writ petition is only an "interim order", and hence, the petitioner is not entitled to get any relief as sought for in this writ petition.



*W.P.No.5296 of 2024*

6. However, the main contention of the petitioner is that neither the seventh respondent, nor the fourth respondent herein served the documents produced by the seventh respondent to the petitioner to make her submissions.

7. In view of the above circumstances, the fourth respondent/RDO is directed to issue fresh notice, to the petitioner and the seventh respondent/Association as well as interested parties/aggrieved parties/objectors/rival claimants/adjacent owners if any, as the case may be, conduct an enquiry into the matter and pass appropriate orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

8. The fourth respondent/RDO is also directed to ensure that both the parties shall exchange their respective documents to each other. Both the



**W.P.No.5296 of 2024**

parties shall co-operate for enquiry. Further, the third respondent/DRO shall ensure that fair hearing should be given to both the parties and also ensure that no untoward incidents happen during the enquiry.

9. With the above directions and observations, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**29.02.2024**

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

ms



**W.P.No.5296 of 2024**

WEB COPY

To

- 1.The Collector,  
Office of the District Collector,  
Chennai District, Chennai – 600 001.
- 2.The Commissioner of Land Survey,  
Directorate of Survey and Settlement,  
Central Survey Office, Survey House,  
PWD Estate, Chepauk, Chennai – 600 005.
- 3.The District Revenue Officer (South Chennai),  
Rajaji Salai, Chennai – 600 001.
- 4.The Revenue Divisional Officer,  
R.D.O.Office, South Chennai Zone,  
Guindy, Chennai – 600 032.
- 5.The Tahsildar,  
No.3, Gandhi Road, 1<sup>st</sup> Main Road,  
Seva Nagar, Velacherry,  
Chennai – 600 042.
- 6.The Tahsildar,  
Guindy, Guindy Taluk Office,  
Anna Salai, Guindy,  
Chennai – 600 032.



WEB COPY



*W.P.No.5296 of 2024*

**P.VELMURUGAN, J.**

ms

W.P.No.5296 of 2024

29.02.2024