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W.P.No.22972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.22972 of 2024
and W.M.P.No.25038 of 2024

N.B.A. Residents Welfare Association Royapuram,
Rep by its, Secretary
No.1, Nagathamman Koil Street,
Royapuram, Chennai – 600 013.

... Petitioner

VS.

1.District Collector
Chennai District
Singaravelar Maligai
Chennai – 600 001.

2. Tahsildar
Tondiarpet Taluk
Chennai – 600 081.

3. Zonal Officer
Royapuram Zonal Office
Zone - 5, Corporation of Chennai
No.61, Basin Bridge Road
Chennai – 600 021.

4. The Royapuram Dharma Brahma Theertham Charities
Represented by its Secretary
171/71, M.S.Koil Street
Royapuram
Chennai – 600 013.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or direction or any other orders in the nature of writ directing the respondents 1 to 3 to rectify the errors and mistakes found at the revenue records, Patta, Field Maps after re-surveying the properties situating at Survey No's 114, 118, 119, 120, 121, 123, 124 at Tondiarpet Village, Chennai, based upon the petitioner's representation dated 18.06.2024.

For Petitioner : Mr.M.J.Sundar

For Respondents : Mr.Mohammed Sathik (For R1 and R2)
Government Advocate

Mr.S.Gopinathan (For R3)
Standing Counsel
for Greater Chennai Corporation

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to rectify the errors and mistakes found in the revenue documents, patta, field maps after resurveying the properties situated in Survey Nos.114, 118, 119, 120, 121, 123 and 124 at Tondiarpet village, Chennai by considering his representation dated 18.06.2024.



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2. According to the petitioner, there are 100 residential houses in the above mentioned land and most of the families there have been living in the said houses for more than 300 years. The fourth respondent claims right over the above said lands by virtue of an order passed by this Court in O.S.No.78 of 1871. It is further stated by the petitioner that in the revenue records the names of wrong and irrelevant persons have been included, therefore, the petitioner sent a registered representation dated 18.06.2024 to respondents 1 to 3 seeking rectification of erroneous entry in revenue records.

3. The second respondent filed a counter giving the details of the persons whose names are recorded in the revenue records in the survey numbers mentioned by the petitioner. It is also stated by the second respondent that the petitioner association members are not having complete set of documents to get their names mutated in the revenue records. It is also stated that unless the petitioner association members produce relevant documents to establish their right over the property allegedly in their possession, the mutation in the revenue records cannot be considered.



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4. In view of the stand taken by the second respondent in his counter, this Court is not inclined to issue a general direction sought for by the petitioner association directing the respondents to consider its representation for rectification of the revenue records. If the individual members of the petitioner association approach the respondents with necessary documents to establish their right over the property allegedly in their possession, the same shall be considered by the second respondent in accordance with the law. It is also open to the members of petitioner association to workout their remedies before Civil Court.

4. With the above directions, the Writ Petition stands disposed of and consequently, the connected Writ Miscellaneous Petition is closed.

27.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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Chennai – 600 001.

2. Tahsildar
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3. Zonal Officer
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S.SOUNTHAR, J.

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