



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20059 of 2024

- 1.Vijayalakshmi
- 2.Gobinathan
- 3.Pushpalatha
- 4.Anandaraman

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Petitioners

versus

- 1.The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai - 600 035.
- 3.The Executive Engineer
and Administrative Officer,
K.K.Nagar Division,
Tamil Nadu Housing Board,
C-48, T.N.H.B Commercial Complex,
Anna Nagar, 2nd Avenue,
Chennai - 600 040.
- 4.The Special Tahsildhar,
Tamil Nadu Housing Board,
K.K.Nagar Division,
Chennai.



5.The Tahsildar,
Maduravayal Taluk,
Nolambur,
Chennai District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the fifth respondent to issue the patta to the petitioners for their vacant land measuring 1200 sq.ft in Plot No.12, comprised in S.No.255/2 of "Sri Rajiv Gandhi Nagar Annex", Nerkundaram Village, Maduaravoyal Taluk, Chennai District and lying within the Registration District of Chennai South and Sub Registration District of Virugambakkam, by considering the online application dated 06.06.2024.

For Petitioners	:	Mr.A.Ilaya Perumal
For Respondents	:	Mr.P.Sathish Additional Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the fifth respondent to issue patta to the petitioners for their vacant land measuring an extent of 1200 sq.ft in Plot No.12, comprised in Survey No.255/2 situated at "Sri Rajiv Gandhi Nagar Annex", Nerkundaram Village, Maduaravoyal Taluk,



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Chennai District and lying within the Registration District of Chennai South and Sub Registration District of Virugambakkam, by considering the online application dated 06.06.2024.

3. Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents and perused the materials available on record.

4. It is the case of the writ petitioners that the vacant land measuring an extent of 1200 sq.ft in Plot No.12, in Survey No.255/2 situated at "Sri Rajiv Gandhi Nagar Annex", Nerkundaram Village, Maduravoyal Taluk, Chennai, was purchased by the first petitioner's late husband on 19.04.2001. However, when the petitioners applied for patta, the patta was not issued by the authorities.

5. It is the contention of the petitioners that a notification issued under Section 4(1) of the Land Acquisition Act, 1884 *vide* G.O.(Ms)No.124 dated 08.05.1995 and subsequently Section 6 declaration quashed by this



Court in W.P.No.18379 of 1991 dated 01.07.1999. Therefore, despite quashing the proceedings, the patta has not been issued.

6. The learned Additional Government Pleader for the respondents is not disputed the quashment of the acquisition and submitted that similar survey number the writ petition has been filed in W.P.No.29017 of 2018, by an order dated 06.11.2019, this Court directed the authorities to issue a patta.

7. In such view of the matter, the fifth respondent is directed to consider the application of the petitioners dated 06.06.2024 and pass appropriate orders on merits for issuance of patta in the name of the petitioners, after giving notice to the neighbouring land owners, within a period of three months from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

19.07.2024

Speaking order / Non-speaking order
Index : Yes / No



Neutral Citation : Yes / No
sri

W.P.No.20059 of 2017





To
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Housing and Urban Development Department,
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N.SATHISH KUMAR, J.

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