



WEB COPY



W.P.No.21205 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21205 of 2024

B.Anuja

.. Petitioner

Versus

- 1.The District Collector,
Kancheepuram District,
Kancheepuram-631 501.
- 2.The District Revenue Officer,
Collectorate Office,
Kancheepuram District-631 501.
- 3.The Revenue Divisional Officer,
Sriperumbudur and Post,
Kancheepuram District-602 105.
- 4.The Tahsildar,
Kundrathur Taluk,
Kancheepuram District-600 069.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Directing the 3rd respondent to issue patta in respect of 6300 sq. feet of land in survey No.23/1 (New No.23) Athanacheri Village, Kundrathur Taluk (formerly Sriperumbudur Taluk) Kancheepuram District, based on the report of the 3rd respondent given in Na.Ka.1728/2014/A2 dated 18.06.2014 and the report of the 1st respondent given in Na.Ka.14985/2014/ B2 dated 08.03.2016 as well as



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the judgment of this Court made in WP No.9333 of 1997 dated 19.12.1997 reported in (1998 (3) LW 603) to the petitioner forthwith.

For Petitioner : Ms.Ebenezer paul

For Respondents : Mr.P.Sathish,
Additional Government Pleader for R1 to R4

ORDER

With the consent of both sides, the main writ petition itself is taken up for final disposal at the admission stage.

2. This Writ Petition is filed to issue a direction to the 3rd respondent to issue patta in respect of 6300 sq. feet of land in survey No.23/1 (New No.23) Athanacheri Village, Kundrathur Taluk (formerly Sriperumbudur Taluk) Kancheepuram District, based on the report of the 3rd respondent given in Na.Ka.1728/2014/A2 dated 18.06.2014 and the report of the 1st respondent given in Na.Ka.14985/2014/ B2 dated 08.03.2016 as well as the judgment of this Court made in WP No.9333 of 1997 dated 19.12.1997 reported in (1998 (3) LW 603) to the petitioner forthwith.

3.The case of the petitioner is that the petitioner's parents have purchased an extent of 22,000 sq.ft., from one A.K.Dayalan. The petitioner's mother has executed a settlement deed in respect of 1800 sq.ft., on 18.10.2021



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in Document No.13830 of 2021 on the file of Sub Registrar, Guduvanchery and similarly his father has executed a settlement deed in favour of the petitioner for 4500 sq.ft., on 18.10.2021. The petitioner has applied for patta. The third respondent has also submitted a report to the second respondent recommending for grant of patta in favour of the petitioner and others in Na.Ka.No.1728/2014/A2 dated 18.06.2014. Despite the recommendation of the revenue officials for issuance of patta, no orders have been passed. Hence, the present Writ Petition.

4.Heard learned counsel for the petitioner, learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

5. It is now well settled by a judgment of Division Bench of this Court in W.A.No.843 of 2022 dated 23.06.2024 (District Collector of Tiruvannamalai Vs. K.Siva Shanmugam(deceased) and others), wherein it has been held that once Natham land is occupied and the occupation is recognized by the government by issue of a patta under the Natham Settlement Scheme, such land will not and cannot be held to belong to the Government. In such view of the matter, as the authorities have already recommended for grant of patta in favour of the petitioner and others, submitted a report dated 18.06.2014



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and since the third respondent is a competent person for issuance of patta, he is directed to pass an order in this regard within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

29.07.2024

raa

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

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N. SATHISH KUMAR, J.



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