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W.P.Nos.21302 and 21311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

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THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.21302 and 21311 of 2024

A.Subramani

.. Petitioner in
W.P.No.21302/2024

M.Thirunavukarasu

.. Petitioner in
W.P.No.21311/2024

Versus

1.The District Collector,
Office of Collectorate ,
Chengalpattu District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Chengalpattu District.

3.The Tahsildar,
Office of Tahsildar, Thiruporur Taluk,
Chengalpattu District.

... Respondents in
W.P.No.21302/2024

1.The District Collector,
Office of Collectorate ,
Chengalpattu District.

2.The District Revenue Officer,
Office of District Revenue,
Chengalpattu District.



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3. The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Chengalpattu District.

4. The Tahsildar,
Office of Tahsildar, Thiruporur Taluk,
Chengalpattu District.

... Respondents in
W.P.No.21311/2024

Prayer: W.P.No.21302 of 2024 is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 21.07.2023 in accordance with law and to issue Grama Natham Patta in the name of the petitioner for the part of Plot No.3 Pillaiyar Kovil Street comprised in Grama Natham Survey No.344/part measuring an extent of 875 Sq.ft situated at No.52 Perumbakkam Village, Tambaram Taluk, Chengalpattu District.

W.P.No.21311 of 2024 is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 28.07.2023 in accordance with law and to issue Grama Natham Patta in the name of the petitioner for the Grama Natham lands in new Survey No.503/1 to an extent of 0.08 cents of lands situated in Paiyanur Village Thiruporuru Taluk Chengalpattu District.

For Petitioner : Mr.K.Duraimurugan
in both WPs

For Respondents : Mr.P.Sathish,
in both WPs Additional Government Pleader



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COMMON ORDER

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2. These Writ Petitions are filed to issue a direction to the respondents herein to consider the representation of the petitioners dated 21.07.2023 and 28.07.2023 respectively in accordance with law and to issue Grama Natham Patta in the name of the petitioners for the Grama Natham lands for the part of Plot No.3 Pillaiyar Kovil Street comprised in Grama Natham Survey No.344/part measuring an extent of 875 Sq.ft situated at No.52 Perumbakkam Village, Tambaram Taluk, Chengalpattu District and in new Survey No.503/1 to an extent of 0.08 cents of lands situated in Paiyanur Village Thiruporur Taluk Chengalpattu District respectively.

3. The case of the petitioner in W.P.No.21302 of 2024 is that the petitioner has purchased the land bearing part of Plot No.3 Pillaiyar Kovil Street comprised in Grama Natham Survey No.344/part measuring an extent of 875 Sq.ft situated at No.52 Perumbakkam Village, Tambaram Taluk, Chengalpattu District, on 07.05.2018 from one R.Sasikala vide., sale deed registered as document No.4471/2018 on the file of Sub Registrar, Selaiyur



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and from the date of purchase, he is the absolute owner of the said land. On 21.07.2023 the petitioner had made representation to the respondents seeking to issue grama natham patta to the said land in favour of the petitioner. However, no action was taken by the respondents to grant patta to him. Hence, the present Writ Petition.

4.The case of the petitioner in W.P.No.21311 of 2024 is that the land in survey No.503/1 to an extent of 0.08 cents situated in Paiyanur village, Thiruporur Taluk, Chengalpattu District belongs to his mother viz., Krishnaveni. In the year 2008, the petitioner's mother had settled the abovesaid property in his favour vide settlement deed dated 31.07.2008 registered as document No.5680/2008, on the file of Sub Registrar, Thiruporur. On 28.07.2023 the petitioner had made representation to the respondents to issue grama natham patta to the said land in favour of the petitioner. However, no action was taken by the respondents to grant patta to the petitioner. Hence, the present Writ Petition.

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



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6. 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, the respondents are directed to consider the representations of the petitioners dated 21.07.2023 and 28.07.2023 and pass appropriate orders on the same on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, these writ petitions are disposed of. No costs.

29.07.2024

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

1.The District Collector,

Office of Collectorate ,

<https://www.mhc.tn.gov.in/>



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Chengalpattu District.

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- 2.The District Revenue Officer,
Office of District Revenue,
Chengalpattu District.
- 3.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Chengalpattu District.
- 4.The Tahsildar,
Office of Tahsildar, Thiruporur Taluk,
Chengalpattu District.



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N. SATHISH KUMAR, J.

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W.P.Nos.21308 & 21311 of 2024

29.07.2024