



W.P.No.35031 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

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1. G. Dhakshinamoorthy
2. Kalaiselvi
3. Neelakandan
4. D.Jayakumar
5. M.Deepika Priyadarshini
6. D.Prabhu Kumar
7. E.Shantosh Kumar
8. D.Madan Kumar
9. P.Lakshmi
10. P.Ganesan
11. Komethagam
12. S.Revathi
13. K.Dhamodara Pillai
14. M.Vasantha
15. D.Amaravathi
16. G. Sangeetha
17. N. Devan
18. N. Sekar
19. N. Jayakumar
20. N. Sagunthala
21. R. Indirani
22. V. Subba Raji
23. S. Soundar Rajan
24. P. Subramani
25. G. Yesu

...Petitioners

-Vs-

1. The State of Tamil Nadu,
Represented by its Secretary,



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Revenue Department,
Fort St.George,
Secretariat,
Chennai - 600 009.

2. The District Collector,
Master Plan Complex,
Thiruvallur District,
Thiruvallur - 602 001.

3. The District Revenue Officer,
Master Plan Complex,
Thiruvallur District,
Thiruvallur - 602 001.

4. The Revenue District Officer,
Thiruvallur District,
Tiruttani

5. The Thasildar,
R.K.Pettai Taluk Office,
(Old Pallipet Taluk),
Thiruvallur District,

6. The Forest Settlement Officer,
Forest Ranger,
Thiruvallur District,
Thiruvallur.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents 2 and 5 to consider petitioners representation dated 26.08.2019 and direct the sixth respondent to consider in his proceedings C.K.34/2011 dated 31.01.2011 and issue patta to the lands enjoyment and possession of the individual as per the Forest Settlement Officer in his proceedings RC235/77/FSO dated 27.07.1992.



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For Petitioner : Mr.T.Arul
For R1 to R5 : Mr.K.Surendran
Additional Government Pleader
For R6 : Mr.T.Srinivasan
Additional Government Pleader

ORDER

This writ petition is filed seeking a mandamus to direct the respondents 2 and 5 to consider petitioner's representation dated 26.08.2019 and direct the sixth respondent to consider in his proceedings C.K.34/2011 dated 31.01.2011 and issue patta to the lands enjoyment and possession of the individual as per the Forest Settlement Officer in his proceedings RC235/77/FSO dated 27.07.1992.

2. The case of the petitioner is that the petitioner's forefathers were continuously cultivating the lands comprised in Survey Nos. 335/2, 335/6 & 337/4A admeasuring 39.27.5, 12.98.5 & 5.17.5 respectively, totaling 57.43.5 Hectares till their demise and subsequently the petitioners being their legal heirs have been in possession and enjoyment of the above said lands for more than 50 years. The petitioners were approached the Collector, Tahsildar and other revenue Authorities and also Chief Minister's Special Cell, Secretariat, Chennai, seeking to issue individual patta to the petitioners. The same was classified into two categories one is Excluded Areas and another one is Forest



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Block Formed Areas (FB) and the same was ordered by the Forest Settlement Officer, Kancheepuram, vide his proceedings in R.C.No.235/77/FSO dated 27.07.1992. The fifth respondent had issued individual house site Patta to the Veeranathur Village People comprised in Survey No. 337/4B which was reserved from Survey No. 337/1 and nearly 83 persons were issued patta in the year 2017 itself. But as regards in Survey Nos. 335/2, 335/6 and 337/4A people who are all in possession and enjoyment of Forest settlement land (Forest Settlement Officer settling the lands) were not issued Patta. The petitioners are all in possession and enjoyment of the excluded (Forest Land) areas as per the order of Forest Settlement Officer in his proceedings RC235/77/FSO dated 27.07.1992.

3. The petitioners sent many representation in various dates to all the respondent including the present R.K.Pet Tahsildar, to issue individual patta for all the petitioners. Subsequently, the petitioners also made many representations before the District Collector of Thiruvallur. The respondents promised to issue Patta in favour of the Petitioners. But no action was taken regarding the petitioner's representation by the authorities till date. Aggrieved by the same, the petitioner has come forward with the present writ petition.

4. Though very many grounds have been raised in this writ petition,



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learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 2 & 5 to consider the petitioner's representation dated 26.08.2019 and pass appropriate orders on merits within a particular time frame to be fixed by this Court.

5. The learned Additional Government Pleader appearing for the first to fifth respondent and learned Additional Government Pleader appearing for the sixth respondent have no objection for the said order being passed by this Court.

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

7. In view of the above submission, the following order is passed by this Court:-

“The second and fifth respondent is directed to consider the representation of the petitioner dated 26.08.2019 after giving due notice to both the parties, opportunity of personal hearing, to consider the documents submitted by both the parties, on merits, in accordance with law and pass appropriate orders after following the above principles of natural justice within a period of three months from the date of receipt of copy of this



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order.”

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7. The writ petition is disposed of with the above said observations and directions. No costs.

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Index: Yes/No

Speaking Order : Yes/No

Neutral case citation: Yes/No

To

1. The Secretary,
Revenue Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

2. The District Collector,
Master Plan Complex,
Thiruvallur District,
Thiruvallur - 602 001.



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4. The Revenue District Officer,
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5. The Thasildar
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(Old Pallipet Taluk)
Thiruvallur District.

6. The Forest Settlement Officer,
Forest Ranger,
Thiruvallur District,
Thiruvallur.

J.SATHYA NARAYANA PRASAD, J.

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