



WEB COPY



WP.No.39157 of 2024

In the High Court of Judicature at Madras

Dated : 21.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.39157 of 2024

B.Jeyakanthi

Vs

...Petitioner

1.The Secretary, Revenue &
Disaster Management
Department, Tamil Nadu,
Ezhilagam, Chepauk,
Chennai-5.

2.The Commissioner of Land
Administration, Tamil Nadu,
Ezhilagam, Chepauk,
Chennai-5.

3.The Commissioner of Survey
& Settlement, Tamil Nadu,
Chepauk, Railway Street,
PWD Estate, Chepauk,
Chennai-5.

4.The District Collector,
Chennai District, Chennai.

5.The Tahsildar, Alandur Taluk,
Chennai.

...Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Mandamus directing respondents 4 and 5



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to consider the representation of the petitioner dated 25.8.2023 given for changing the classification of her land and issue patta for the same in survey No.245/6 Part and T.S.No.70 with an extent of 663 sq.ft. situated at Ward F, Block 13, Kesari Nagar Main Road, Adambakkam, Chennai as early as possible.

For Petitioner : Mr.R.Prabudoss
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a direction to respondents 4 and 5 to consider her representation dated 25.8.2023 to change the classification of the land in survey No.245/6 Part and T.S.No.70 measuring 663 sq.ft. situated at Ward F, Block 13, Kesari Nagar Main Road, Adambakkam, Chennai from road poramboke to patta land and consequentially to issue patta, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The case of the petitioner is as follows :

(i) The petitioner acquired the said property by way of a release deed dated 22.9.2005 registered as doc.No.2844 of 2005 on the file of



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the Sub-Registrar, Alandur executed by her brother and sister in her favour. Since then, the petitioner has been in possession and enjoyment of the said property. From the year 2021 onwards, the petitioner has been sending representations after representations to respondents 4 and 5 seeking to issue patta in respect of the said property. But, no action was taken on that. When some third parties attempted to encroach into the said property, it was resisted by the petitioner and her family members. Pursuant to that, upon verification, it came to light that the said property has been classified as a road poramboke.

(ii) Immediately, the petitioner sent a representation dated 25.8.2023 to respondents 4 and 5 seeking to change the classification in respect of the said property from road poramboke to patta land. It was followed by a reminder dated 06.12.2024. Another representation dated 09.12.2024 has also been sent to respondents 1, 4 and 5. However, nothing was forthcoming. Hence the writ petition.

4. Considering the limited nature of the relief sought, the writ petition is allowed and a Mandamus is issued to the Competent Authority to consider the said representation of the petitioner dated 25.8.2023 and after hearing the petitioner and other interested parties and after affording an opportunity of personal hearing, pass



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appropriate orders within four weeks from the date of receipt of a copy of this order. No costs.

21.12.2024

To

- 1.The Secretary, Revenue & Disaster Management Department, Tamil Nadu, Ezhilagam, Chepauk, Chennai-5.
- 2.The Commissioner of Land Administration, Tamil Nadu, Ezhilagam, Chepauk, Chennai-5.
- 3.The Commissioner of Survey & Settlement, Tamil Nadu, Chepauk, Railway Street, PWD Estate, Chepauk, Chennai-5.
- 4.The District Collector, Chennai District, Chennai.
- 5.The Tahsildar, Alandur Taluk, Chennai.

RS



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