



WP.No.846 of 2025

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In the High Court of Judicature at Madras

Dated : 20.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.846 of 2025

M/s.VAK Engineering Pvt. Ltd.,
rep.by its Authorized Signatory
Mr.R.Raju, Chief Executive
Officer

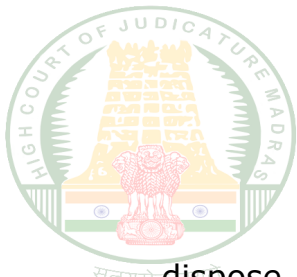
Vs

...Petitioner

- 1.The Commissioner of Survey
& Settlement, Chepauk,
Chennai-5.
- 2.The Settlement Officer,
Chepauk, Chennai-5.
- 3.The Assistant Settlement Officer
(North), Chepauk, Chennai-5.
- 4.The Revenue Divisional Officer,
Anna Salai, Guindy, Chennai-32.
- 5.The Special Tahsildar, Town
Settlement, Alandur Taluk,
Chennai-16.
- 6.Zubaiha Khathoon
- 7.Munagala Tulasi Vamsi Krishna
- 8.Duddu Malleswarao

...Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Mandamus directing the 4th respondent to



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dispose of the representation of the petitioner company dated 10.10.2024 seeking to make necessary entries in revenue records with respect to old survey No.20/1, T.S.No.122, Adambakkam Village, Ward E, Block I, Alandur Town, Alandur Taluk, Chennai District as per the orders passed by the 2nd respondent in her proceedings in Rc.No. (D4)6854/2020 dated 02.11.2022 within a reasonable time as may be fixed by this Court.

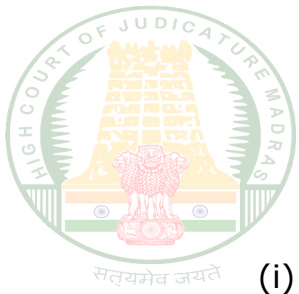
For Petitioner : Mr.A.E.Ravichandran
For R1 to R5 : Mr.A.Selvendran, SGP

ORDER

Seeking a direction to the fourth respondent to dispose of their representation dated 10.10.2024 for making necessary entries in the revenue records in respect of the property in old survey No.20/1, T.S.No.122, Adambakkam Village, Ward E, Block I, Alandur Town, Alandur Taluk, Chennai District pursuant to the orders passed by the 2nd respondent dated 02.11.2022, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for respondents 1 to 5.

3. The case of the petitioner is as follows :



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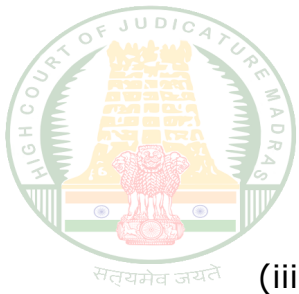
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(i) The petitioner purchased the following properties :

- (a) Paimash No.716 (1 Cawnie);
- (b) Paimash No.717 (0.12.6 Cawnie)
- (c) Paimash No.718/1 (2.4.10 Cawnie)
- (d) Paimash No.721 (0.14.6 Cawnie)
- (e) Paimash No.722 (1.2.0 Cawnie)
- (f) Paimash Nos.859 & 860 (2.0.14 Cawnie)

in total, measuring an extent of 11.19 acres vide sale deed dated 30.8.1973 registered as doc.No.7935 of 1973 on the file of the Sub-Registrar, Alandur.

(ii) However, proceedings were initiated by the Assistant Settlement Officer, Tiruvannamalai under the Tamil Nadu Minor Inam (Abolition & Conversion into Ryotwari) Act, 1963 in respect of an extent of 3.60 acres comprised in Paimash Nos.716, 717, 718, 721 & 722, old survey No.20/1, T.S.No.122, in which, the petitioner and the sixth respondent and others claimed a right. After inquiry, vide order dated 09.9.1993, ryotwari patta was granted in favour of the sixth respondent and others and the request of the petitioner was rejected. Challenging the same, the petitioner filed an appeal in C.M.A.No.28 of 1993 before the Minor Inam Tribunal-cum-Principal Sub-Court, Chengalpattu and by judgment dated 22.11.1995, the said appeal was allowed.



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(iii) Aggrieved by that, the sixth respondent and others filed S.T.P.No.2 of 1996 on the file of this Court and it was dismissed on 16.10.2000. As against the same, they preferred Civil Appeal No.810 of 2003 before the Hon'ble Supreme Court, which, by order dated 26.9.2003, remitted the matter back to the file of this Court. Pursuant to that, this Court passed the order dated 23.12.2009 in S.T.P.No.2 of 1996 by remanding C.M.A.No.28 of 1993 to the file of the Minor Inam Tribunal. Ultimately, the said appeal was dismissed by order dated 12.6.2015 by the Minor Inam Tribunal, Chengalpattu.

(iv) The said order dated 12.6.2015 was put to challenge by filing W.P.No.33294 of 2017 before this Court and it is still pending. While the proceedings are pending, the fifth respondent granted patta in favour of the sixth respondent's father in old S.No.20/1, T.S.No.122. Thereafter, the patta was transferred in favour of the seventh respondent on the basis of a settlement deed executed by his father on 08.10.2015. Immediately on coming to know about the grant of patta, the petitioner preferred an appeal to the third respondent seeking cancellation of the patta granted by the fifth respondent to the seventh respondent. However, the appeal was dismissed on 17.12.2020.

(v) As against the said order dated 17.12.2020 passed by the third respondent, the petitioner preferred an appeal to the second



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respondent, who, by order dated 02.11.2022, declared the orders passed by respondents 3 and 5 as void and cancelled the same citing the earlier proceedings before the Assistant Settlement Officer, Tiruvannamalai. The second respondent also directed the fifth respondent to make necessary entries both in the manual patta and in the online patta with respect to T.S.No.122 on the basis of the orders passed by the Assistant Settlement Officer, Tiruvannamalai by making it clear that the said order dated 02.11.2022 would be subject to the outcome of W.P.No.33294 of 2017. This order has not been challenged by the seventh respondent before the first respondent and therefore, it attained finality.

(vi) However, both the manual patta and the online patta granted to the seventh respondent continue to remain in the name of the father of the seventh respondent. Taking advantage of the same, the private respondents were creating various documents. The petitioner sent a representation dated 19.1.2023 to the first respondent to implement the order dated 02.11.2022 passed by the second respondent. Once again, the petitioner sent representations to the fourth respondent on 19.9.2024 to the fourth respondent through registered post with acknowledgement due and another representation in person on 03.10.2024 and once again on 10.10.2024 through registered post with acknowledgement due. However, the same have



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सत्यमेव जयते not been considered. Hence the writ petition.

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4. Considering the limited request of the petitioner and taking note of the fact that last of such representations is pending since October 2024, the writ petition is allowed and a Mandamus is issued to the fourth respondent to dispose of the said representation dated 10.10.2024 within a period of ten weeks from the date of receipt of a copy of this order after taking note of the orders passed by the second respondent in R.C.No.(D4)6854/2020 dated 02.11.2022 and after giving due opportunity of hearing to the petitioner as well as the rival claimants. No costs.

20.1.2025

To

- 1.The Commissioner of Survey
& Settlement, Chepauk, Chennai-5.
- 2.The Settlement Officer,
Chepauk, Chennai-5.
- 3.The Assistant Settlement Officer
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