



W.P.No.2172 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.2172 of 2020

Ponnayya

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District.

2.The District Revenue Officer,
Thiruvallur District.

3.The Tahsildar,
Avadi.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the respondents to grant assignment Patta to the petitioner and other occupants in Survey No.713/1B of Parithipattu Village.

For Petitioner : Mr.Avinash Wadhwani
for Ms.V.Srimathi

For Respondents : Mr.A.Selvendran
Special Government Pleader

O R D E R



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This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to grant assignment patta to petitioner and other occupants comprised in Survey No.713/1B situated at Parithipattu Village.

2. It is submitted by learned counsel for petitioner that there has been several proceedings wherein assignment of patta has been recommended to be issued to Urikkarai Naickers Community in respect of the subject property vide proceedings in Letter No.HSS/8805/90, dated 17.12.1992.

3. However, learned Special Government Pleader appearing for respondents would submit that the subject property is a water body and thus, petitioner may not have any right to claim issuance of assignment of patta in respect of the subject property.



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4. In response, learned counsel for petitioner would submit that the concerned respondent may conduct an enquiry as to whether the subject property is a water body or not.

5. Taking into consideration the facts and circumstances of the case and considering the grievance of petitioner, there shall be a direction to second respondent to conduct enquiry as to whether the subject property is water body or not and the petitioner is at liberty to participate in the enquiry. After conducting enquiry, second respondent shall consider the petitioner's request for assignment of patta in respect of subject property and thereafter pass appropriate orders on merits and in accordance with law, after putting petitioner, and other interested parties including rival claimants, if any, on notice, within a period of eight weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. After completion of enquiry, if second respondent arrives at a conclusion that subject property is a water body, it is open to second respondent to proceed further against petitioner in accordance with law. It is made clear that this Court has not



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expressed any view with regard to the merits of the case and it is open to second respondent to consider the case on its own merits and in accordance with law.

6. Accordingly, this Writ Petition stands disposed of. However, there shall be no order as to costs.

16.07.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

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MOHAMMED SHAFFIQ, J.

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