



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3995 of 2025

1.Y.V.Jaiganesh

2.Y.V.Durga

... Petitioners

Vs.

1.The Government of Tamil Nadu
Rep. by the Principal Secretary,
Housing and Urban Development (UDI) Department,
Fort St. George, Chennai – 600 009.

2.The Government of Tamil Nadu
Rep. by the Secretary,
Revenue Department,
Fort St. George, Chennai – 600 009.

3.The District Collector, Chennai District,
Office of the Collector of Chennai District,
Singaravelar Maligai,
Chennai – 600 001.

4,The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E & C Market Road,
Koyambedu, Chennai 600 107.



5. The District Revenue Officer (Schemes)
Tamil Nadu Housing Board,
CMDA Complex, E& C Market Road,
Koyambedu, Chennai 600 107.

6. The Revenue Divisional Officer, Chennai South
Office of the Revenue Divisional Officer,
Anna Salai, Guindy,
Chennai 600 032.

7. The Executive Engineer and Administrative Officer,
Nandanam Division,
Tamil Nadu Housing Board,
485, MTB Building, 1st Floor, Anna Salai,
Nandanam, Chennai 600 035.

8. The Tahsildar,
Office of the Tahsildar of Velachery,
Seva Nagar 1st Street,
Velachery, Chennai 600 042.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents 1 to 8 to pass appropriate orders effecting reclassification of the land of the petitioners comprised in the south Madras Neighborhood S, at Urur village, Velachery Taluk, Chennai District, bearing Town Survey Number 22/1 Block Number 22, measuring an extent of 211. 5 square meters from “Sarkar Poromboke” to “Ryotwari Manai” and issue patta in respect of the property of the petitioners in Town Survey field numbers 22/ 1 and 23 in Block 22 of Urur village, Velachery Taluk, Chennai district bearing Plot Number S45, New Door Number 40, Old Door Number 29, Sastri Nagar, First Avenue Adyar, Chennai- 600 020, measuring an extent of 2 grounds 1437 square feet, within a reasonable time frame as fixed by this Court.



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For Petitioner : Mr.C.P.Hemkumar for
M/s.Ganesh and Ganesh

For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 to R3, R5, R6 and R8
Mr.A.M.Ravindranath Jeypal
Standing Counsel for R4 and R7

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation made by the petitioners wherein, the petitioners is seeking for reclassification of the land situated in S.No.22/1 which has now been classified as Sarkar Poromboke and to classify it as Ryotwari Manai and to issue patta in the name of the petitioners with respect to the subject property to an extent of 2 grounds and 1437 square feet.

2.Heard Mr.C.P.Hemkuar, learned counsel appearing on behalf of the petitioners, Mr.P.Sathish, learned Additional Government Pleader appearing on behalf of respondents 1 to 3, 5, 6 and 8 and Mr.A.M.Ravindranath Jeyapal, learned Standing Counsel appearing on behalf of respondents 4 and 7.

3.The case of the petitioners is that the Tamil Nadu Housing Board executed a Sale Deed in favour of one Somasundara Rao in the year 1973. Thereafter, the said



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Somasundara Rao executed a Sale Deed in favour of one V.R.Sumathy and conveyed the property. Ultimately, each of the petitioners were entitled to 1/3rd share in the property and other sharer viz., Roopa executed a Release Deed dated 25.03.2021 by releasing her 1/3rd share in favour of the petitioners.

4.The grievance of the petitioners is that T.S.No.22/1 has been classified as a Sarkar Poromboke. Hence, a representation was made to the respondents to reclassify the same as a Ryotwari Manai. Such reclassification can be done only by the 3rd respondent and hence, the representation made by the petitioner before the 8th respondent is kept pending. Left with no other option, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and considering the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to deal with the application submitted by the petitioners on 01.08.2024 on its own merits and in accordance with law after affording opportunity to the Tamil Nadu Housing Board and appropriate orders shall be passed, within a period of three months from the date of receipt of copy of this order. The petitioner shall make a fresh representation to the 3rd respondent along with a copy of the representation dated



01.08.2024 annexed with all the relevant documents and also a copy of this order. A copy of this representation shall also be marked to the 8th respondent.

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6.This writ petition is disposed of with the above directions. No Costs.

12.02.2025

Internet : Yes

(2/2)

Index : Yes

Speaking Order / Non Speaking Order
ssr

To

1.The Principal Secretary,
Housing and Urban Development (UDI) Department,
Fort St. George, Chennai – 600 009.

2.The Secretary,
Revenue Department,
Fort St. George, Chennai – 600 009.

3.The District Collector, Chennai District,
Office of the Collector of Chennai District,
Singaravelar Maligai,
Chennai – 600 001.

4,The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E & C Market Road,
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N. ANAND VENKATESH, J.

SSR

5. The District Revenue Officer (Schemes)
Tamil Nadu Housing Board,
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Office of the Revenue Divisional Officer,
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(2/2)**