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W.P.No.21068 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.21068 of 2025

D. Priya

... Petitioner

Vs.

1.The Commissioner Of Land Administration
Chepauk,
Chennai 600 005

2.The Assistant Settlement Officer (North)
Office Of The Commissioner Survey
And Settlement,
Survey House,
Chennai 600 005

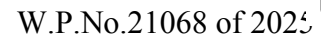
...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st respondent to issue Ryotwari patta by invoking 7 (c) of the Act 26 of 1948 with respect to land comprised in Survey No 192/1 T.S.No. 21 Block 5 over an extent of 4.23 acres in Venkatapuram Village Guindy, Mambalam Taluk Chennai District in favour of the petitioner on W.P. No 24537 of 2013.

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For Petitioner : Mr.N.Vijay

For Respondents : Mr.D.Ravichander, Spl.GP



This Writ Petition has been filed for a direction directing the 1st respondent to issue Ryotwari Patta by invoking Section 7 (c) of the Act 26 of 1948 with respect to land comprised in Survey No 192/1 T.S.No.21 Block 5 over an extent of 4.23 acres in Venkatapuram Village Guindy, Mambalam Taluk Chennai District in favour of the petitioner.

3. The petitioner's predecessors were the owners of the subject land. However, they failed to apply for Ryoywari Patta. Hence, the petitioner submitted a representation for the issuance of Ryotwari Patta by invoking the provisions of Section 7 (c) of the Act 26 of 1948 on 11.02.2013. It was rejected by the 1st respondent herein on the ground of limitation by citing GO.Ms.No.714, Commercial Tax and Religious Endowment dated 26.09.1997. However, the said Government Order has nothing to do with the invocation of sou motu revision provided under Section 7 (c) of the Act 26 of 1948. Therefore, it was challenged before this Court in WP.No.24537 of 2013. The writ petition was allowed, holding that the



Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963, does not prescribe any time limit for applying for the issuance of patta. Further, this Court directed the authorities to consider the representation submitted by the petitioner seeking Ryotwari Patta.. However, till date, Ryotwari Patta has not been issued in favour of the petitioner.

4. This issue has already been dealt with by an Hon'ble Division Bench of this Court in W.P.No.24239 of 2016, wherein the Division Bench dismissed the writ petition in respect of the same property on the ground of delay. The relevant paragraphs of the said judgement are extracted as follows:-

"13. Thus, it is settled that,

(I) Any application after 20.08.1987

for grant of patta is not to be entertained, and any order passed by any settlement authority granting patta is void ab-initio. This Court has held that such grant of pattas by settlement authority beyond limitation amounts to fraud and set aside such grants under the maxim 'fraud vitiates all



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proceedings'.

(II) Neither the Director of Survey and Settlement nor the Commissioner of Land Administration has powers to condone the delay and remand the case to the Assistant Settlement Officer / Settlement Officer for statutory enquiry and no settlement authority can entertain such applications.

14. Admittedly, in the case on hand, Venkatapuram village, now in Guindy Taluk of Chennai District was taken over by the Government on 03.01.1951 under the provisions of Act, 1948, as per G.O.Ms.No.3157, Revenue Department, dated 09.12.1950. During the settlement, the lands comprised in T.S.No.21, Block No.5, measuring 4.28 acres was classified as Government Poromboke Land and recorded as Highways Department. The Government in G.O.Ms.No.2454, Revenue Department, dated 26.08.1959 sanctioned the alienation of land in favour of Director of



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Highways Research Station. Since then, the land continued to be under the possession of the Highways Department. This shows that the land claimed by the petitioners could not have been under the continuous possession and enjoyment of the petitioners' predecessors or themselves. "

5. In view of the above, the request made by the petitioner cannot be considered. Accordingly, the Writ Petition stands dismissed. No costs.

13.10.2025

Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

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G.K. ILANTHIRAIYAN. J.,

(shr)

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