



Writ Petition No.4681 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.4681 of 2015

and

M.P.Nos.1 & 2 of 2015

R.Anjugam

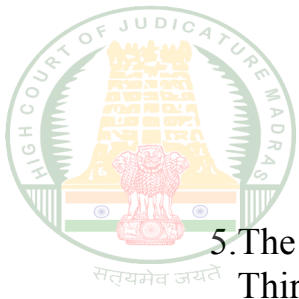
W/o.R.Raja

... Petitioner

[Petitioner cause title amended as per
order dated 24.02.2025 in W.M.P.No.
35018 of 2019 in W.P.No.4681/2015]

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Ribbon Building,
Chennai - 600 003.
- 2.The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
1, Pumping Station Road,
Chindatripet, Chennai - 600 002.
- 3.The Project Engineer-VII, Construction-III,
Chennai Metropolitan Water Supply
and Sewerage Board,
Chennai - 600 002.
- 4.The Zonal Officer,
Zone-I, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.



Writ Petition No.4681 of 2015

5.The Collector,
Thiruvallur District,
Thiruvallur.

6.The Tashildar,
Thiruvottiyur Taluk Office,
Thiruvottiyur, Chennai - 600 019.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to pay compensation to the petitioner based on the market value of the land acquired by them as per the latest Payment of Fair Compensation For Acquisition of Land Act, 2014, for an amount of Rs.10 crores to the petitioner being the cost of 15028 sq.ft. of land acquired in New Survey Nos.255/1 & 2, Old Survey No.579/1 & 2 at Subramaniapuram Nagar, Thiruvottiyur, Madhavaram Talum, Thiruvallur District as compensation.

For Petitioner : Mr.Richardson Wilson

For Respondents : Mr.G.T.Subramanian [R1 & R4]
Mrs.S.Deepika,
Standing Counsel [R2 & R3]
Mr.M.R.Gokulkrishnan
Additional Government Pleader
[R5 & R6]

ORDER

This writ petition came up for hearing on 06.03.2025 and this
Court passed the following order:

"This writ petition has been filed seeking for payment of compensation to the petitioner on the ground that the property



WEB COPY



Writ Petition No.4681 of 2015

belonging to the petitioner at Old Survey Nos.579/1 and 579/2 (New Survey No.2551/1 and 255/2) has been utilised by the Chennai Metro Water Supply and Sewerage Board for putting up a pumping station.

2.On hearing both sides, the issue boils down to the right and title of the petitioner over the subject property. The learned Standing Counsel appearing on behalf of CMWSSB by pointing out to the partition deed dated 28.11.1959 submitted that the property in old Survey No.579/1 was not allotted and what was allotted was only Old Survey No.579/2 to an extent of 5 cents. In view of the same, it was submitted that the petitioner who is not able to prima facie satisfy the right and the title over the property cannot seek for compensation. Per contra, the learned counsel for the petitioner is relying upon the entry that was made in the town survey land register showing the name of Shanmugam Pillai against old Survey No.579/1. The learned counsel for the petitioner also relied upon the proceedings of the Principal Secretary and Commissioner of Land Administration, Chepauk dated 26.11.2012 wherein an order was passed by directing the DRO, Tiruvallur to delete the wrong entry "Kulam" in the remarks column pertaining to T.S.No.255 in the TSLR of Thiruvottiyur Village. The learned counsel further brought to the notice of this Court the proceedings of Tiruvallur dated 13.01.2023, where a direction was issued to delete the entry. Accordingly, the entry was deleted and the revenue records were mutated in the name of the petitioner and consequently, patta was also granted in the name of the petitioner with respect to old Survey No.579/1.

3.The learned counsel for the petitioner seeks for some more time to produce further records to establish that right from the beginning, the revenue records only stood in the name of Shanmugam Pillai, who is grand father of the petitioner.

4.Post this writ petition under the caption 'part heard cases' on 17.03.2025."



Writ Petition No.4681 of 2015

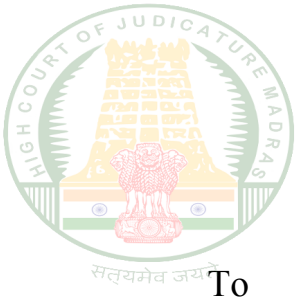
2. When the matter was taken up for hearing today, learned counsel for the petitioner was not able to trace any documents showing the name of Shanmugam Pillai prior to 2012.

3. In the light of the above submission, the relief as sought for by the petitioner cannot be granted by this Court since the title to the property is traced from the partition deed dated 28.11.1959, which refers to the property in Old Survey No.579/2 only to an extent of 5 cents and there is no reference to Survey No.579/1, to which the petitioner is claiming right. It is left open to the petitioner to work out her remedy before the competent forum in the manner known to law.

This writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

17.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



Writ Petition No.4681 of 2015

To
WEB COPY

- 1.The Commissioner,
Corporation of Chennai,
Ribbon Building,
Chennai - 600 003.
- 2.The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
1, Pumping Station Road,
Chindatripet, Chennai - 600 002.
- 3.The Project Engineer-VII, Construction-III,
Chennai Metropolitan Water Supply
and Sewerage Board,
Chennai - 600 002.
- 4.The Zonal Officer,
Zone-I, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.
- 5.The Collector,
Thiruvallur District,
Thiruvallur.
- 6.The Tashildar,
Thiruvottiyur Taluk Office,
Thiruvottiyur, Chennai - 600 019.



WEB COPY



Writ Petition No.4681 of 2015

N.ANAND VENKATESH, J

gm

Writ Petition No.4681 of 2015

17.03.2025