



Writ Petition No.7510 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 21.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Writ Petition No.7510 of 2015

1. M.Mohammed Iqbal Sait
S/o.B.Mohammed

2. M.Paramasivam
S/o.Mookiah

3. P.Anbu Selvam
S/o.Ponnaiah

4. D.Paul Richard
S/o.Dominic

5. M.Soloman
S/o.Mani

6. F.Micheal
S/o.Francis Xavier

7. M.Saleem Sait
S/o.B.Mohammed

8. Abdul Rahim
S/o.B.Mohammed

Petitioners

Vs

1.The District Collector
Chennai District,
"Singaravelar Maligai", Rajaji Salai,
Chennai - 600 001.



Writ Petition No.7510 of 2015

WEB COPY

2.The Commissioner,
Hindu Religious and Charitable Endowment
Department, Nungambakkam, Chennai 600 034.

3.The Executive Officer,
Arul Mighu Sundara Varadharaja Perumal Temple,
Kaliyammann Koil Street, Virugambakkam,
Chennai 600 005.

4.The Tahsildar
Mambalam - Guindy Taluk, K.K.Nagar,
Chennai 600 078.

5.Temple Worshippers Society
(Regn. No.105/2011) Rep by its President T.R.Ramesh,
D. No.28, M33/1, 3rd Main Road, Besant Nagar,
Chennai 600 090.

6.The Commissioner,
Chennai City Municipal Corporation,
Ripon Buildings, Park Town, Chennai 600 003.

7.Nawab Zada Kaursheed Mohammed Khan,
S/o.Khan Bagadur Hawabde Sheriff

8.Nawab Zada Rafeeq Mohammed Khan,
S/o.Khan Bagadur Hawabde Sherif

9.Maboosa Begum
W/o.Late Nawab Zada Ali Khan

10.Faizal Mohammed Khan
S/o.Late Nawab Zada Nawab Ali Khan

11.Bhagat Mohammed Khan
S/o.Late Nawab Zada Nawab Ali Khan

Respondents



Writ Petition No.7510 of 2015

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to take up the enquiry pertaining to the lands belonging to the petitioners situated in Old Survey No.222/3, corresponding to T.S.No.2, in Block No.34, totally to an extent of 45 cents in Virugambakkam Village in Mambalam Guindy Taluk, Chennai District in accordance with the law and the procedure by considering the representation dated 10.02.2014 made by the petitioners to first respondent and if so necessary by issuing notice to the respondents 2, 3, 5 and 6 to 11, and complete the enquiry process, in accordance with law and procedure and pass appropriate final orders within a time frame as may be fixed by this court.

For Petitioners : No appearance - Mr.S.Subbiah

For Respondents : Mr.G.Velu,
Additional Government Pleader [R1 & R4]
Mr.K.Karthikeyan,
Government Advocate [R2 & R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to consider the representation made by the petitioners on 10.02.2014 and conduct an enquiry pertaining to the lands belonging to the petitioners by issuing notice to respondents 2, 3 and 5 and 6 to 11 and complete the enquiry process within the time frame fixed by this Court.



2. When the writ petition was taken up for hearing today, learned

Additional Government Pleader appearing for respondents 1 and 4 produced the written instructions received from the fourth respondent. The relevant portions are extracted hereunder:

2) History of the Preceding similar writ petitions were filed by the Temple Worshipers Society by its President T.R.Ramesh in WP.No.10822 of 2013 and Thiru.Mohanraj in WP.No.1612 of 2019

In the reference 1st cited, Commissioner of Survey and Settlement Chennai - 05 has ordered to register the names of Nawab Zada Khurshed Mohammed Khan and 4 others in the Permanent Land Register of Virugambakkam Village in Block No - 34 , TS. No - 02, Old Survey No.222/3 part, and pertaining to this, In the reference 2nd cited Principal Secretary and Commissioner of Land Administration, Chennai 05, has also confirmed the above said order. Based on the above orders necessary changes were carried in the Permanent Land Register by Tahsildar, Mambalam Taluk in the name of Nawab Zada Khurshed Mohammed Khan and 4 others.

3) Aggrieved by the orders of the Commissioner of Survey and Settlement and the Commissioner of Land Administration, Temple Worshipers Society by its President T.R.Ramesh has filed a writ petition before the **Hon'ble High Court of Madras in WP.No.10822 of 2013**, with the prayer to the quash the orders of the Commissioner of Survey and Settlement and the Commissioner of Land Administration and restore the properties of Old Survey No.222/3 in the name Sri Sundara Varadharaja Perumal Temple, Virugambakkam viz Lands now situated in Old Survey No.222/1, 222/2, 222/3.

The Hon'ble High Court of Madras in WP.No.10822 of 2013, has given the judgment as follows,

" this Writ Petition is allowed and the impugned order dated 07.12.2012, passed by the fifth respondents set aside and the matter is remanded back to the 6th respondent viz The District Collector of Chennai, for fresh adjudication. The sixth respondent is directed to issue notices to the respondents 1 to 4 and 8 and also to the respondents 9 to 14 and after providing them sufficient opportunity, adjudicate the matter on merits and in accordance with law and pass final orders as expeditiously as possible"

4) Aggrieved by the orders of the Hon'ble High Court of Madras in WP.No.10822 of 2013, Nawab Zada Khurshed Khan and others has filed a **Special Leave Petition No.3588 of 2014 before Hon'ble Supreme Court of India** and the same was dismissed.

As per the directions of the Hon'ble High Court of Madras, the District Collector has issued the Summons to the connected parties and conducted enquiry.

5) In this circumstances the one Thiru.Mohanraj has filed a writ petition before the **Hon'ble High Court of Madras in WP.No.1612 of 2019**, with the prayer to direct the respondents to consider the representations of the petitioner dated 13.05.2018 and 22.10.2018 regarding the restoration of the Mettukulam the Holy



WEB COPY

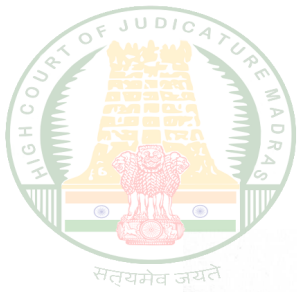
Tank of Sri Sundara Varadharaja Perumal Temple. The Hon'ble High Court of Madras in WP.No.1612 of 2019, has given judgment as follows,

" When an enquiry is being conducted, as to whether patta issued earlier should be cancelled or not, issuance of mandamus for restoration cannot be done. However, representation of the writ petitioner stated supra, can always addressed to the District Collector, pending disposal of the enquiry into cancellation of patta or after the outcome of the enquiry Mr.Mohanraj, party -in- person, present in court is also agreeable for such an orders to be passed. Thus with the consent of all parties, writ petition is disposed of directing the respondents, to complete the enquiry, within a period of three weeks, from the date of a copy of this order. Respondents are further directed to consider and dispose of the representations dated 13.05.2018 and 22.10.2018, of the petitioners, within a period of two weeks, thereafter"

6) As per the directions of the Hon'ble High Court of Madras in **WP.No.10822 of 2013 and WP.No.1612 of 2019**, the District Collector has issued the Summons to the connected parties and conducted enquiry. In the reference 1st cited The District Collector has passed an order to restore the entries of land in Block.No.34, TS.No.2 (Old S.No.222/3pt) and TS.No.148 (Old S.No.222/3pt, 223 pt) of Virugambakkam Village as **" Government Dry " Taluk Board**" in Town Survey Land Register. Based on the above order necessary changes were carried in the online Town Survey Land Register, by Tahsildar, Mambalam Taluk.

7) In this circumstances, The District Collector, Chennai has sent a proposal to the Commissioner of Land Administration, Chennai to change the classification of the lands in Block.34, TS.No.2 and other survey No's of Virugambakkam Village, Mambalam Taluk, from Taluk Board to **Government Poromboke - Revenue Department**.

The Commissioner of Land Administration, Chennai has accepted the proposals of the District Collector, Chennai and directed to change classification of the lands in Block.34, TS.No.2 and other survey No's of Virugambakkam Village, Mambalam Taluk, from Taluk Board to Government Poromboke - Revenue Department, also directed the Tahsildar of Mambalam taluk and personally inspect the land and if any encroachment is noticed, the Tahsildar must take immediate action under the provisions of Tamilnadu Land Encroachment Act 1905 to evict the encroachments, Based on the above order necessary changes were carried in the online Town Survey Land Register, by Tahsildar, Mambalam Taluk.



WEB COPY



Writ Petition No.7510 of 2015

The lands involved in this case are entered in Town Survey Land Register are as follows.

Taluk	Mambalam
Village	Virugambakkam
Block	34
TS.No	222/3 pt
Old S.No	
Classification	Sarkar Poromboke
Extent (Hectares)	0.18.40.0
Adangal (Land Owner Name)	Revenue Department

8) Based on the above facts and preceding similar writ petitions were filed before the Hon'ble High Court of Madras and based on the judgments, appropriate actions were taken with respect to the land in Virugambakkam Village, Block No - 34 , TS. No - 02, Old Survey No.222/3 part, Hence the prayer of the petitioner is

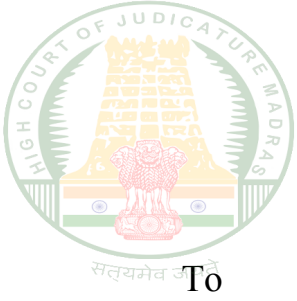
Recording the above, this writ petition is disposed of. No costs.

21.07.2025

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm



Writ Petition No.7510 of 2015

To
WEB COPY

- 1.The District Collector
Chennai District,
"Singaravelar Maligai", Rajaji Salai,
Chennai - 600 001.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam, Chennai 600 034.
- 3.The Executive Officer,
Arul Mighu Sundara Varadharaja Perumal Temple,
Kaliyamman Koil Street, Virugambakkam,
Chennai 600 005.
- 4.The Tahsildar
Mambalam - Guindy Taluk, K.K.Nagar,
Chennai 600 078.
- 5.The Commissioner,
Chennai City Municipal Corporation,
Ripon Buildings, Park Town, Chennai 600 003.



WEB COPY



Writ Petition No.7510 of 2015

N.ANAND VENKATESH, J.

gm

Writ Petition No.7510 of 2015

21.07.2025