

WP No. 28632 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :21.01.2025

WEB COPY

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 28632 of 2024
and W.M.P.No. 31229 of 2024

1. Muniyammal
2. Murugan
3. R. Jayachandran
4. S. Kamatchi
5. V. Murugan
6. Sivajothi
7. Alamelu
8. Kavitha
9. J. Jayanthi
10. Muthaiyan
11. Rajagopal
12. Damodharan
13. A. Karpagam
14. J. Selvi
15. Ravi
16. M. Chitra
17. Chandran
18. Palanivel
19. Ekambaram
20. Nagendrababu
21. K. Maheshwari

...Petitioners

Vs

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

<https://www.mhc.tn.gov.in/judis>



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2. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
5, Kamarajar Salai, Chennai

3. The District Collector,
Chennai District,
Rajaji Salai,
Chennai- 600 001.

4. The Tahsildar,
Aminjikarai Taluk,
Shenoy Nagar,
Chennai- 600 030.

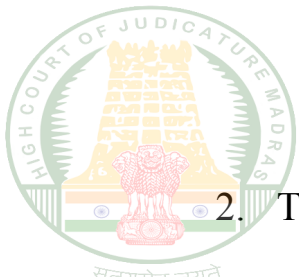
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue patta as per the petitioners' representations dated 08.02.2021, 08.05.2023 and G.O.Ms.No.34 dated 23.01.2008.

For Petitioner	: Mr.G. Karthikeyan Senior Advocate
For Respondents 1, 3 and 4	: Mr P. Sathish Additional Government Pleader
For Respondent 2	: Mr. M. Babumuthu Meeran Standing Counsel for Tamil Nadu Urban Housing Development Board.

ORDER

This writ petition is filed for a mandamus directing the respondents to issue patta on the basis of G.O.Ms.No.34 dated 23.01.2008.



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2. The petitioners' contention is that they have been residing at Annai Sathya Nagar, 1st Street, Villivakkam, Chennai 600 049 for over 30 years. 50 years ago, the land in question was a water body. However, now the entire area has been converted into houses and proper roads, drainage facility, electricity and water pipelines, etc., have been provided. The petitioners would submit that a part of the said survey number has been converted into the Slum Clearance Board Habitants and patta in respect of the same is under consideration. The petitioners, who are also residing in the very same survey number, have not been issued with patta and their several representations have not been taken into consideration. Hence, they are before this Court.

3. The 2nd respondent has filed a counter affidavit in which they would submit that plot number 192A has been approved by the Chennai Metropolitan Development Authority (CMDA) and Plot Nos. 193 to 201 have not been assigned. The petitioners are residing in the low-lying area, i.e adjacent to the Sathya Nagar Scheme which does not belong to the 2nd respondent. They would further submit that they cannot pass any order as the land does not belong to them.



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3. Heard the learned counsels on both side and perused the materials available on record.

4. The petitioners are before this Court to consider their representations for the grant of patta. Admittedly, the petitioners are residing in the property adjacent to the Sathya Nagar Scheme belonging to the 2nd respondent. Therefore, considering the limited request and taking into account the fact that the petitioners are in occupation of these lands, the Writ Petition is allowed and a mandamus is issued to the respondents to consider the representations of the petitioners and pass orders on merits and in accordance with law within a period of 2 weeks from the date of receipt of a copy of this order. Till the consideration of the representations, the petitioners' possession shall not be disturbed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

21.01.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn



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