



WP No. 34401 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 34401 of 2025

M.Harish Kumar,
S/o.Mohanavel,
51/16, 18th Street, B Sector,
Sivasakthi Nagar, Annanur,
Chennai-600 109.

Petitioner(s)

Vs

1.The Assistant Commissioner
(Urban Land Tax),
Poonamallee Zone, Poonamallee,
Chennai-600 056.

2.The Collector,
Tiruvallur, Pincode-602 001.

3.The Tahsildar,
Avadi Taluk, Avadi, Chennai-600 054.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India,



praying for an issuance of Writ of Mandamus, to direct the 3rd respondent to grant patta to the petitioner for his property, namely Plot No.58 (part) Jain Nagar of extent 950 sq.ft comprised in survey No.257, Ayappakkam village, Maduravoyal Taluk (now Avadi Taluk) as done in the case of the petitioners in writ petitions Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015 , 3554 to 3556 of 2015.

For Petitioner(s): Mr.P.Manoj Kumar

For Respondent(s): Mr.P.Ganesan,
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking to direct the 3rd respondent to grant patta to the petitioner's property, viz., Plot No.58 (part) Jain Nagar of extent 950 sq.ft comprised in survey No.257, Ayappakkam village, Maduravoyal Taluk (now Avadi Taluk) as done in the case of the petitioners in writ petitions Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015 , 3554 to 3556 of 2015.



2.Mr.P.Ganesan, learned Government Advocate, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3.Learned counsel for the petitioner would submit that the petitioner is the owner of Plot No.58 (part) Jain Nagar of extent 950 sq.ft comprised in survey No.257, Ayappakkam village, Maduravoyal Taluk (now Avadi Taluk). The said property is part of a larger extent of 4.68 acres of land which belonged to Tmt.Mohana Bai who formed a layout in the name of Jain Nagar and it was duly approved by the Deputy Director of Town Planning, in LPDM/DDTP No.45 of 1974 and thereafter, all the house plots were sold out to various persons. However, patta was not issued to any of the plot owners on the ground that the above said lands which belonged to the above said person were subject matter of Urban Land Ceiling proceedings. Some of the plot owners approached this Court and filed Writ Petitions in W.P.Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015, 3554 to 3556 of 2015 for a direction to the respondents to refrain from pursuing any action initiated under the Tamil Nadu Urban Land (Ceiling



and Regulation) Act, 1978 in respect of their lands in Survey No.257,

Ayapakkam Village on the ground that actual and physical possession of the

lands were not taken from the said Mohanabai or from the subsequent purchases

before the repeal of the Urban Land Ceiling Act which was repealed on

18.03.1999. The said writ petitions were allowed on 14.09.2021 and the 3rd

respondent issued pattas to them in and by his proceedings dated 16.11.2022.

Therefore, the petitioner herein submitted a representation to the respondents on

08.02.2025 requesting for grant of pata for his property as done in the case of

the petitioners in the above said writ petitions. However, no order has been

passed on the petitioner's representation. Hence, the present writ petition has

been filed.

4.Learned Government Advocate appearing for the respondents after

getting instructions from the Officials of the respondents would submit that

following the order passed in the aforesaid writ petitions, this Court directed the

3rd respondent to issue patta to the similarly placed petitioner in W.P.No.10336

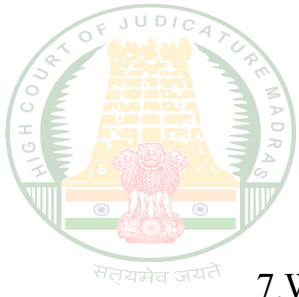
of 2023 vide order dated 22.01.2025. Against the said order, the appeal has been



preferred by the Department. However, till date no stay has been granted in the said appeal.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents and perused the materials available on record.

6. Considering the submissions made by either parties, this Court is of the view that when the 3rd respondent issued patta for the similarly placed persons, whose plots are situated adjacent to the petitioner's plot, the 3rd respondent cannot take different yardstick for the petitioner herein. Hence, taking note of the fact that in a similar circumstances, the patta has been issued by the 3rd respondent on 16.11.2022, to the similarly placed persons, who are the petitioners in W.P.Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015, 3554 to 3556 of 2015, which came to be allowed on 14.09.2021, the 3rd respondent is directed to issue patta to the petitioner's property within a period of six weeks from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition is disposed of. No costs.

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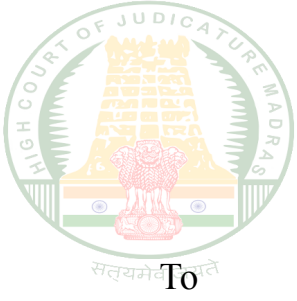
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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Land Tax)

Poonamallee Zone, Poonamallee,
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KRISHNAN RAMASAMY J.

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AND WP NO. 34403 OF 2025

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