



W.P.No. 44488 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

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THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.44488 of 2025

M.Jayakumar

.... Petitioner

Vs

1.The District Collector
Singara Velan Maligai
Chennai – 600 001.

2.The Tahsildhar
Ayanavaram Taluk
Ayanavaram
Chennai – 600 023.

3.The Tahsildhar
Kolathur Taluk
No.35, Jambulingam Main Road
G.K.M.Colony, Kolathur
Chennai – 600 082.

4.The Perambur Co-operative Building Society Limited
Rep by its Secretary
Door No.22, First Circular Road
Jawahar Nagar, Chennai – 600 082.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India



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praying to issue a Writ of Mandamus to direct the third respondent to issue patta forthwith to the petitioner's property situated at Plot No.110 in Class B as per tax assessment Old Door No.11, New Doot No.24, 1st Circular Road, Jawahar Nagar, Chennai – 600 082 comprised in R.S.No.291, 287/3, 288, 297/3, 289 and 290, T.S.No.88 of Block No.36 of Peravallur Village, Purasawalkam – Perambur Taluk, within the limit of Chennai Corporation, measuring to an extent of 3573 sq.ft., and to pass orders.

For Petitioner : Mr.S.Thiruvengadam

For Respondents : Mr.P.Ganesan
Government Advocate for R1 to R3

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the third respondent to act upon the representation made by the petitioner, wherein the petition is seeking for issuance of patta in his name with respect to the subject property.

2. Heard Mr.S.Thiruvengadam, learned counsel appearing for the petitioner and Mr.P.Ganesan, learned Government Advocate appearing on behalf of respondents 1 to 3.

3. The petitioner claims to be the absolute owner of the subject



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property by virtue of conveyance deed dated 03.04.1969, wherein the property was conveyed in the name of the petitioner's father. Thereafter, a settlement deed dated 19.08.2010 was issued in the name of the petitioner and it was registered as Document No.6686/2010. The petitioner is now seeking for issuance of patta with respect to the subject property. Since the same was not considered, the present writ petition has been filed before this Court.

4. This Court had an occasion to deal with a similar issue pertaining to the adjacent property of the petitioner in W.P.No.25530 of 2022. This writ petition was disposed of by an order dated 04.03.2025 and the relevant portions are extracted hereunder :

“4.The issue that is involved in the present writ petition is no longer res integra and various orders have been passed by this Court considering the same property. One such order was passed in W.P.Nos.7533 & 7534 of 2018 dated 30.03.2021 and the relevant portions are extracted hereunder:

“3.The simple case that is pleaded before this Court by the petitioner is that the petitioner purchased the property which is a plot in a well developed layout. The petitioner is entitled to patta if he purchased the property from the original owner. It is the specific case of the petitioner that the property was originally assigned to the said society which formed the layout. After several decades, it is surprising to note that the respondents have rejected the application for patta on



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the ground that the property is classified as poromboke. An additional counter affidavit is filed by the second respondent. This Court is unable to find any basis from the counter affidavit filed by the second respondent. In the additional counter affidavit filed by the second respondent, it is stated that the prior proceedings relied upon by the petitioner is not available on record. However, it is stated that as per revenue records, the land was classified as Sarkar Poromboke. The society formed a layout long back and the layout was approved. When the plots of the layout were sold out on the basis of approval granted by the statutory authorities, the respondents have no reason to believe that they are in possession of the property despite the plots were sold by the promoters of the layout namely the society in the name of several others. There were subsequent alienations one after another.

4.It is the case of the petitioner that the property was originally assigned in favour of the society by the Government and that therefore, the Government cannot not now render the assignment invalid by stating that the land was classified as Sarkar Poromboke. Having regard to the admitted facts, this Court find some force in the argument of the learned counsel for the petitioner. It is seen that the petitioner has purchased the property as a house site from the person on the basis of a sale deed obtained from the Society. After this length of time, the possession and enjoyment of the petitioner as claimed by them cannot be disbelieved when no material is produced by the respondents with regard to cancellation of assignment or about any error or mistake in identify of property. As pointed out earlier, the land though was classified as poromboke, the classification cannot remain the same after assignment. It is not the case of respondent that the plot purchased by petitioner is not part of the lands assigned to Society.

5.From the pleadings and documents filed on either side, this Court is fully convinced that the respondent cannot refuse to grant patta ignoring the



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previous assignment and transfer of interest in favour of the society under whom the petitioner claims right. Hence this writ petition is allowed and the order of second respondent dated 30.04.2015 in O.Mu.Pa.Ma.No.A2/2586/2014 is set aside. No costs. The Tahsildar is directed to issue patta forthwith to petitioners for the property mentioned in the petition.”

5.Pursuant to the above order, the patta was granted in favour of the petitioners therein. Similarly, another order was passed in W.P.Nos.11468 & 11471 of 2021 dated 04.02.2022.

6.In view of the above, it is quite apparent that there is no water body in that place and the property was actually assigned and transferred in favour of the Perambur Co-operative Building Society, which had sold the plots. Hence, the above order will enure in favour of the petitioner.

7. In the light of the above discussion, the impugned proceedings of the 2nd respondent dated 18.08.2022 is hereby quashed and there shall be a direction to the 2nd respondent to issue patta in the name of the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.”

5. In view of the above, there shall be a direction to the second respondent to deal with the request made by the petitioner in line with the order passed by this Court in W.P.No.25530 of 2022 and issue necessary proceedings within a period of four weeks from the date of receipt of a copy of this order.



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6. This writ petition is disposed of with the above directions. No costs.

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Index : Yes / No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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