



W.P No.29479 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P No.29479 of 2018
& WMP No.34446 of 2018

1.U.Ravi
2.U.Sivakumar
3.U.Vasuki
4.U.Vani
5.Senthil @ Yuvaraj
All represented by their
Power of Attorney R.Thangaraj

..... Petitioners

Vs

1.The District Revenue Officer
Chennai District
Collectorate of Chennai
Singaravelar Maaligai
62, Rajaji Salai
Chennai-600 001.
2.The Sub Collector
Revenue Divisional office
Tondiarpet
Chennai-600 081.
3. The Tasildhar
Aminjikarai Taluk
Chennai-600 107.
4.ARR Charitable Trust
Kumaravijayam
No.99, Royapettah High Road
Mylapore, Chennai-600 004.
5.Ozone Projects Private Limited
Rep. by its Authorised Signatory



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Mr.K.Krishnan

No.63, G.N. Chetty Road
T.Nagar, Chennai-600 017.

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6.M/s.Krishna Tiles and Potteries
(Madras) Pvt. Ltd.,
Kumaravijayam,
No.99, Royapettah High Road
Mylapore, Chennai-600 104.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records of the first respondent culminating in his order vide proceedings J3/7313/2016 dated 07.07.2018 confirming the order passed by the second respondent in his proceedings Procs.(A1)/693/2016 dated 06.03.2017 and quash the same.

For Petitioners : Mr.Thomas T Jacob

For R1 to R3 : Mr.T.Arun Kumar
Additional Government Pleader

For R4 & R6 : Mr.Kuberan
for M/s.Rank Associates

For R5 : Mr.R.Swaminathan

ORDER

This writ petition has been filed challenging the order dated 07.07.2018 passed by the 1st respondent, confirming the order passed by the second respondent in his proceedings Procs.(A1)/693/2016 dated 06.03.2017 and thereby rejecting the request made by the petitioner to cancel the patta



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issued in favour of the 4th respondent.

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2. The petitioners' forefather had purchased the lands in Paimash Nos.32, 36, 72, 79, 105, 116, 154, 172, 181, 331, 332 and 538 admeasuring to an extent of 3.12.10 cawnies (4.77 acres) from one Vedammal by a registered sale deed dated 13.11.1914. After selling certain lands by way of two registered sale deeds in favour of Mrs.Karpagambal, the remaining lands were in possession and enjoyment of the petitioners' forefather. Thereafter, a settlement register for the Municipal Town has endorsed the ownership of the petitioners' forefather namely Mr.Appu. After his demise, his legal heirs were substituted for the remaining properties comprised in T.S No.1 (Old S.Nos.229/1A, 229/2 and 230 part, Block No.26, Koyambedu Village, Aminjimkarai Taluk, Chennai. Thereafter, the petitioners' principals had moved to another village and settled there for their livelihood. Once in a year, they used to visit the subject property. In the year 2014, the petitioners' forefather found that some construction projects were going on by putting up a compound wall. On verification, it was revealed that the settlement register of Municipal Town reflects in favour of the 4th respondent by replacing the petitioners' forefather's name. Therefore, the petitioner filed an appeal before the 2nd respondent challenging the patta issued in favour of the 4th respondent. However, the same was rejected and also



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confirmed by the 1st respondent. Aggrieved by the same, the present writ

petition is filed.

3. The learned counsel for the petitioner would submit that before changing the settlement register, the petitioners' forefather or his legal heirs were not served with any notice. It is a clear violation of principles of natural justice. Without considering the same, both the respondents 1 & 2 dismissed the claim of the petitioners.

4. On perusal of the counter affidavit filed by the 4th respondent and also the submissions made by the learned counsel for the respondents 1 and 2, revealed that the 4th respondent had acquired the subject land and also other lands through the legitimate owners, who had title and possession for more than seven decades by way of a sale deed dated 02.03.2006 for a valuable consideration. The 4th respondent has gifted more than six acres of land to the CMDA, CMRL, TANGEDCO towards public road, OSR and towards CMRL and paid more than Rs.100 crores towards development fee, infrastructure and amenities charges, building license fee to CMDA and Corporation of Chennai obtained planning permission for development of mixed use residential cum retail development as early as April 2009 and building permit as early as June



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2009. Thereafter, the entire construction was completed and handed over to the

respective flat owners. Hence, insofar as the petitioners are concerned, they have no title over the subject property. The petitioners' ancestors sold the entire property even in the year 1915 itself, by way of a registered sale deed dated 04.05.1915 vide document No.505 of 1915 to the predecessor in title of the 4th respondent. The petitioners have no semblance of right or title over the subject property. Therefore, the 1st respondent rightly dismissed the appeal filed by the petitioners confirming the order passed by the 2nd respondent. If at all, any grievance over the order passed by the 1st respondent, the petitioners ought to have approach a competent civil court for appropriate relief and claim title over the subject property. Therefore, this Court finds no infirmity or illegality in the order passed by both the respondents 1 & 2.

5. Accordingly, this writ petition stands dismissed. No costs.

Consequently, the connected miscellaneous petitions are closed.

08.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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