

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2015

CORAM:

THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.4004 of 2014

E. Visalatchi

Petitioner

vs.

1 The Collector
Thiruvallur District
Thiruvallur

2 The Tahsildar
Ambattur Taluk Office
Ambattur, Chennai 600 053

3 The Commissioner
Avadi Municipality
Avadi, Chennai 600 054

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider and dispose of the representation dated 15.07.2013 preferred by the petitioner within a time frame.

For petitioner No appearance

For RR 1 & 2 Mr. S.V. Durai Solaimalai
Additional Government Pleader

For R3 Mr. P. Srinivas

ORDER

According to the petitioner, she is in possession of the property comprised in Old Survey Number 280/2 part (New Survey Field Number 100) Ward No.D, Block No.31, within the third respondent Municipality, Thirumullaivoyal Village, by erecting a hut for more than 40 years. She had obtained an extract of Town Survey Field Register issued by the Zonal Deputy Tahsildar, Ambattur in her favour.

2 It is the stand of the petitioner that during the year 2013, she approached the Sub-Registrar, Ambattur, to execute a Settlement Deed to settle her property to and in favour of her son. At that time, she was directed to obtain a copy of the Town Survey

Land Register for registration of the Settlement Deed. Accordingly, she had approached the concerned authority to secure record and at the time of perusing the record, she came to know that there was an error that had crept, in the Town Survey Land Register, which reflects the name of one T.V. Raman. Further, in view of the fact that the property comprised in Survey No.100 is owned and possessed by her for more than 40 years and also, Town Survey Field Register extract also was issued in her favour by the Zonal Deputy Tahsildar, Ambattur, she was paying property tax regularly from the year 1979 and presently, she is not in a position to pay tax due to the error that had crept, in the revenue record.

3 The petitioner's real grievance is that she made a representation on 15.07.2013 addressed to the first respondent, to rectify the error that had crept in the Town Survey Land Register in the third respondent Municipality relating to her property. Now, the first respondent had forwarded the representation made by her to the respondents 2 and 3. However, till date, no positive steps have been taken on the representation dated 15.07.2013 made by her.

4 Taking note of the fact that the petitioner's representation dated 15.07.2013, till date, has not met with any positive result in the hands of the second respondent, at this stage, this Court, to prevent aberration of justice and in furtherance of substantial cause of justice, directs the second respondent to look into the petitioner's representation dated 15.07.2013, forthwith and to dispose off the same by passing a reasoned and speaking order (of-course, after providing necessary opportunity of hearing to the petitioner and others, if any, by adhering to principles of natural justice), within a period of six weeks from the date of receipt of a copy of this order.

5 With the above direction and observation, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar
Dated:26.2.15

True Copy

Sub Assistant Registrar

To

- 1 The Collector
Thiruvallur District
Thiruvallur

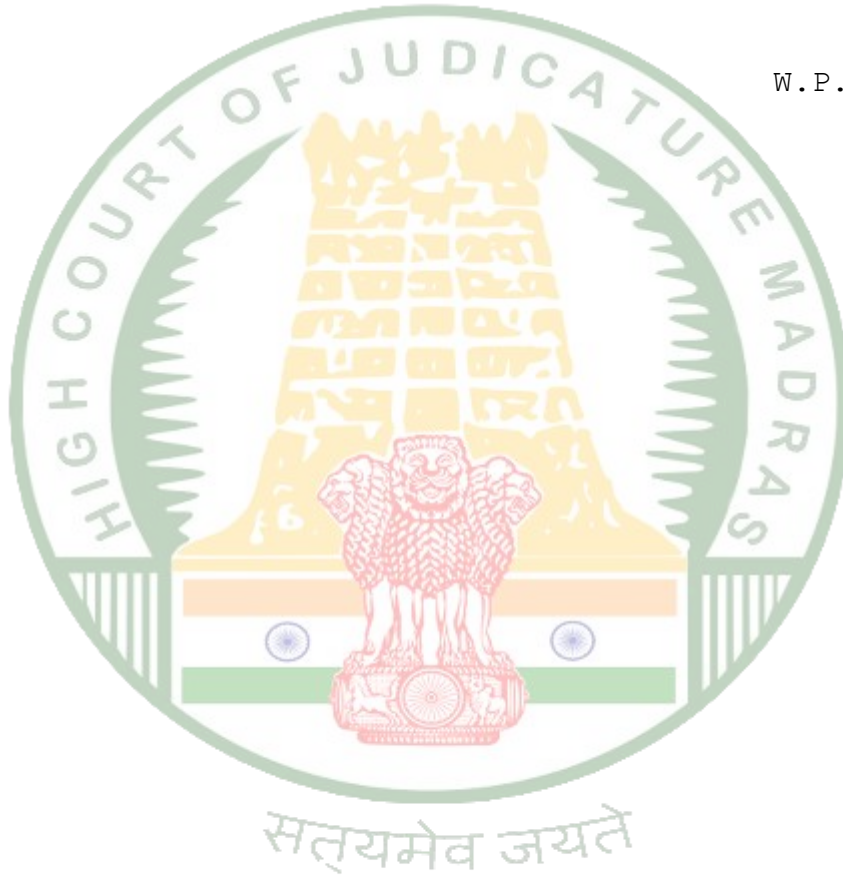
2 The Tahsildar
Ambattur Taluk Office
Ambattur, Chennai 600 053

3 The Commissioner
Avadi Municipality
Avade, Chennai 600 054

+1 cc to the Government Pleader, SR.9627.

pa(co)
krd 6/3

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