

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2015

CORAM

The Hon'ble Mr. Justice SATISH K.AGNIHOTRI
and
The Hon'ble Mr. Justice M. VENUGOPAL

W.A.No. 513 of 2015

.....

Mr. M. Bright Kennedy
rep. By his Power Agent
Mr. R. Rajasekaran.

.... Appellant/Petitioner

Vs.

- 1 State of Tamil Nadu
Rep. by its Secretary, Revenue Department ,
Fort St. George Chennai-9.
- 2 State of Tamil Nadu
Rep. by its Secretary,
Public Works Department,
Fort St. George, Chennai-9.
- 3 The Additional Chief Secretary/
/ The Commissioner of Land Administration,
Office of the Commissioner of Land
Administration, Ezhilagam, Chepauk,
Chennai- 5.
- 4 The Director of Survey and Settlement ,
Office of The Director of Survey
and Settlement,
Central Survey Office,
Survey House ,
Chepauk Chennai-5.
- 5 The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajar Maaligai,
No.1 Gandhi Irwin Road,
Egmore Chennai-8.

- 6 The Director,
Directorate of Town and Country Planning,
Opp. LIC Chengalvarayan Building,
No.807 Anna Salai, Chennai-2.
- 7 The District Collector ,
Office of the District Collector,
Kancheepuram District.
- 8 The Tahsildar
Office of the Tahsildar,
Taluk Office Complex ,
Thiruporur Taluk,
Kanchipuram District.
- 9 Mr. A.Jayachandra Reddy
S/o. Late Mr.Narasimha Reddy,
No.117 IV Floor JVL Towers,
Nelson Manickam Road,
Aminjikarai, Chennai-29.
- 10 M/s. Olympia Group,
Olympia Technology Park Rep. by its
Director Mr. Gaurav Sanghvi,
Plot No.1 SIDCO Industrial Estate,
Guindy Chennai-32. ... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 09.03.2015 made in W.P.No. 24707 of 2014.

Petition presented under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to rectify the mistakes in the FMB sketches for the property comprised in Survey No.136 Thiruvidanthai Village Thiruporur Taluk Kancheepuram District Showing the subject property as S.No.136/1B1A1 in One FMB sketch and showing the subject property as S.NO.136/1B1B in other FMB sketch, A-Register of the Year 1987 prepared after UDR scheme and to restore the status of the property as per the documents and revenue records before the implementation of UDR Scheme and also to Survey the property by using Sophisticated measuring instruments and to furnish a copy of Survey report to the Petitioner.

For Appellant : Mr. V. Lakshmi Narayanan
for M/s. S. Joel

For Respondents : Mr. P.S.Sivashanmugasundaram
Spl. Govt. Pleader - R1 to R4,
R6 to R8
Mr. K. Raja Srinivas - R5
No Appearance - R9
Mrs. AL.Gandhimathi - R10

JUDGMENT

(Judgment of the Court was delivered by Satish K.Agnihotri,J.)
On the request of the learned counsel for the appellant on the last occasion, notice was issued to the limited extent of surveying the property by using sophisticated measuring instrument as the other reliefs sought in the writ petition was given up by the learned counsel appearing for the appellant.

2 In response, the 8th respondent herein, viz. The Tahsildar, Taluk Office Complex, Thiruporur Taluk, Kancheepuram District, had filed an affidavit dated 01.06.2015 indicating that there is no sophisticated instrument available in the Taluk Office, as the same has to be arranged from the Central Survey Office, Ezhilagam, Chennai. The 8th respondent has sought six weeks' time to complete the process of survey and measurement with the assistance of sophisticated instrument.

3 Accordingly, we direct the 8th respondent to have survey and measurement of the property in question done with the assistance of sophisticated instrument after arranging the same from the Central Office, where it is available, after affording an opportunity of hearing to all the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

With the aforestated direction, this writ appeal stands disposed of. No costs.

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-s/d-
Assistant Registrar (CSIII)
Dated:09/06/2015

True Copy

Sub-Assistant Registrar

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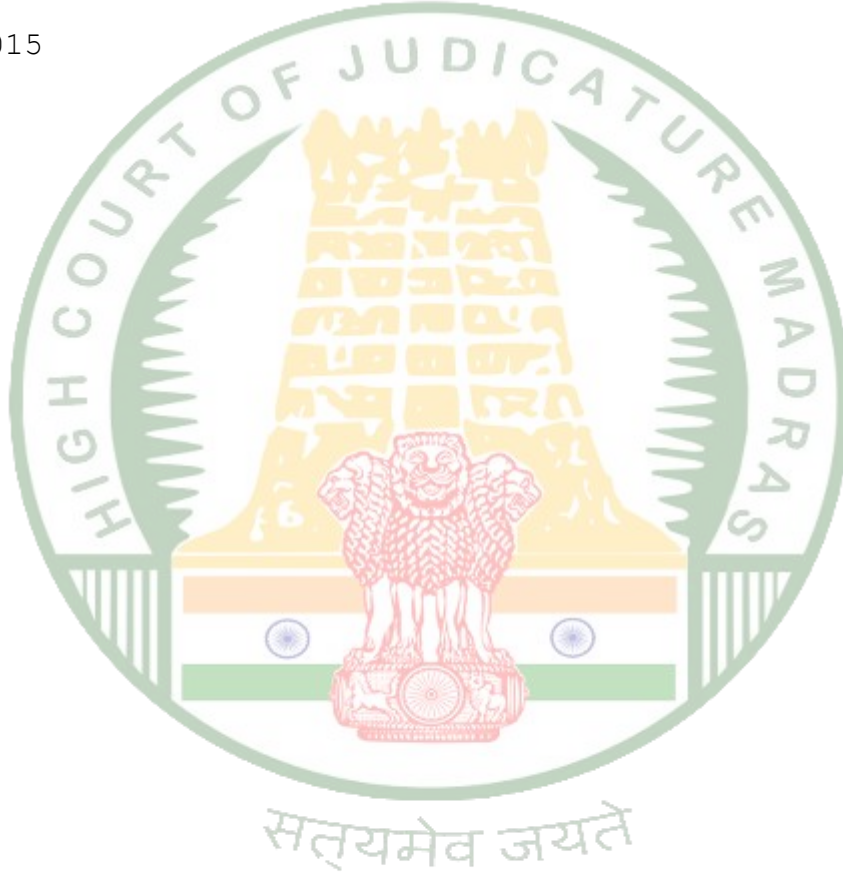
To

- 1 The Secretary, State of Tamil Nadu
Revenue Department ,
Fort St. George Chennai-9.
- 2 The Secretary, State of Tamil Nadu
Public Works Department,
Fort St. George, Chennai-9.
- 3 The Additional Chief Secretary/
/ The Commissioner of Land Administration,
Office of the Commissioner of Land
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Office of the Tahsildar,
Taluk Office Complex ,
Thiruporur Taluk,
Kanchipuram District.

+1 cc to Mr.K.Rajashrinivas Advocate sr.26372
+1 cc to Mr.S.Joel Advocate sr.26302
+1 cc to Mr.P.Subha Reddy Advocate sr.26374
+1 cc to Government Pleader sr.26411

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