

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.14044 of 2015

N.Vetrivel

...Petitioner

vs

1. Revenue Divisional Officer
Poonamallee
Thiruvalluvar District
Chennai 600 056
2. The Tahsildar
(Land Survey Division)
Poonamallee Tahsildar Office
Poonamallee, Thiruvalluvar District
Chennai 600 056
3. The District Surveyor
Poonamallee
Thiruvalluvar District
Chennai 600 056

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to dispose of the application of the petitioner dated 31.12.2013, and consequently, directing the third respondent to survey and demarcate the property of the petitioner at Survey No.49/1C1, Ariyamandhanallur Village, Poonamallee Taluk.

For Petitioner : Mr.T.Gowthaman

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is the sole and absolute owner of the property bearing Survey No.49/1C1, Ariyamandhanallur

Village, Poonamallee Taluk, which was purchased by him by means of a registered sale deed dated 19.8.1994 (Document No.772/1994 - Sub Registrar, Poonamallee). The petitioner would further claim that after the said purchase, he is in absolute possession and enjoyment of the property without any interference or interruption from any quarter and mutation of revenue records had also taken place and patta in Patta No.21 was also issued to him and in the chitta as well as in the adangal register, his name finds place. The petitioner would state that his property is surrounded by by-pass road on one side and the temple property belonging to Varadharaja Perumal Devasthanam, on the other three sides and since the property has not been measured and surveyed, the Trustees of the temple are now trying to include his property within the compound wall earmarking it as temple property. The petitioner, in this regard, submitted an application dated 31.12.2013, to the second respondent and since he has not been favoured with any kind of response, came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mrs.P.Rajalakshmi, learned Government Advocate, who accepted notice for the respondents.

4.This Court, without going into the merits of the application, directs the second respondent to consider and dispose of the petitioner's application dated 31.12.2013, in accordance with law, after putting on notice, the persons concerned, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The Revenue Divisional Officer
Poonamallee
Thiruvalluvar District
Chennai 600 056
2. The Tahsildar
(Land Survey Division)
Poonamallee Tahsildar Office
Poonamallee, Thiruvalluvar District
Chennai 600 056

3. The District Surveyor
Poonamallee
Thiruvalluvar District
Chennai 600 056

1 CC to M/s. M.N. Balakrishnan, Advocate SR.No. 25756

1 CC to the Government Pleader, SR.No. 25786

W.P.No.14044 of 2015

CA (CO)
PSI (10.06.2015)



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