

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16154 of 2015

P.Premkumar

... Petitioner

Vs.

1 The Tahsildar
Ambattur Taluk Ambattur Tiruvallur
District.

2 The Taluk Surveyor
Ambattur Taluk Ambattur Tiruvallur
District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to Survey the subject lands comprised in Survey Nos. 21/1-1.90; 21/2-0.25; 25/3-0.94; 30/5-1.18; 32/1-0.79; 88/1-0.55; 88/2-0.62; and 87/1-0.34 totalling 6.57 Acres in No.73 Ayyapakkam Village Ambattur Taluk presently Tiruvallur District by considering his representation dt. 27.02.2015 and by receiving the necessary charges through prescribed challan.

For Petitioner : Mr.R.Neelakandan

For Respondents : Ms.P.Rajalakshmi
Government Advocate

O R D E R

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

2.The petitioner claims to be an Agreement Holder vide agreement of sale dated 22.02.2015 entered into between him and Thiru.A.Arulanandam and Tmt.R.Ananthi wife of Thiru.Rajendran in respect of the land admeasuring to an extent of 6.57 acres situated in No.73, Ayyapakkam Village, Ambattur Taluk, Tiruvallur District. The petitioner being agreement holder submitted an application for survey of land vide application dated 12.03.2015 and since he was not issued with a challan, he approached the respondents and since no favourable response is forthcoming from them, came forward to file this writ petition.

3.Mr.R.Neelakandan, the learned counsel appearing for the petitioner would submit that subsequently, the first respondent has issued a challan and though the petitioner is prepared to pay the necessary fees, it is not accepted probably for the reason that such an application should be submitted by the owners of the property and prays for necessary permission permitting the owners of the property to file necessary application in that regard and prayed for appropriate orders.

4.This Court heard the submissions of Mr.R.Neelakandan, learned counsel appearing for the petitioner and Ms.P.Rajalakshmi, learned Government Advocate who accepts notice on behalf of the respondents.

5.This Court without going into the merits of the claim projected by the petitioner, permits the owner of the property namely Thiru.A.Arulanandam and Tmt.R.Ananthi wife of Thiru.Rajendran to submit necessary application for survey and measurement of boundaries within a period of two weeks from the date of receipt of a copy of this order to the first respondent who on receipt of the same, is directed to consider the same in accordance with law after putting on notice the concerned persons and pass orders within a period of six weeks thereafter and communicate the decision taken, to the land owners as well as to the persons concerned.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

- 1 The Tahsildar
Ambattur Taluk Ambattur Tiruvallur
District.
- 2 The Taluk Surveyor
Ambattur Taluk Ambattur Tiruvallur
District.

1 cc to Mr.P. Kumaresan, Advocate, Sr. 27543

1 cc to Government Pleader, Sr. 28121

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RV (CO)
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