

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17534 of 2015

Mr.E.Pakkirisamy

... Petitioner

Vs.

1 The Tahsildar

Office of the Tahsildar Ayanavaram
Chennai - 600 023

2 The Tahsildar

Office of the Tahsildar Perambur,
Chennai - 600 011

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to provide the entire field map to the petitioner for the properties of Block No.14 T.S. No.131/1, 2, 3 and T.S.No.132/1, 2 situated at Old No.5 New No.7, Veerasamy Main Street, Ayanavaram, Chennai 23 on the petitioners representation dated 9.6.2015.

For Petitioner : Mr.A.T.Jayaraman

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

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

2.The petitioner claims that he is the absolute and exclusive owner of the property bearing Old No.5, New No.7 Veerasamy Main Street, Ayanavaram, Chennai comprised in survey field no.132, (T.S.No.132) Block No.14 admeasuring to an extent of 2400 sq.ft., and survey field no.131 (T.S.No.131), Block No.14, Pymash No.1026, to an extent of 691.5 sq.ft., and totally measuring 3091.5 sq.ft. According to the petitioner, after demise of his father, he and his mother were in possession and joint enjoyment of the same and subsequently, they have sold the property of 592 sq.ft., along with common way of 592.5sq.ft., in favour of one Jayanthi vide document no.4154 of 2005 dated 17.11.2005 and the remaining lands were settled by his mother in favour of grand children reserving their interest for lifetime.

3.The petitioner would further state that his mother died on 28.01.2011 and thereafter, he is in possession and enjoyment of the same. The petitioner would further state that one Mohankrishnan and Jayanthi encroached the land of common way by constructing a wall and therefore, filed suit in O.S.No.1462 of 2015 on the file of XIII Assistant City Civil Court, Chennai and in order to effectively defend the case, the petitioner requires field map of the area and in this regard, submitted an application by paying necessary fees and since he has

not been favoured with any kind of response, came forward to file this writ petition.

4.Learned counsel appearing for the petitioner would submit that based on the application, the Tahsildar, Ayanavaram has written a letter in Na.Ka.No.4333/A2/2015 to the Tahsildar, Perambur to send the file in SD/12/08-09 dated 03.04.2008 which is available in their office and in spite of it, he has not been issued with the field map and hence, came forward to file this writ petition.

5.Heard the submissions of Mr.A.T.Jayaraman, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

6.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the case projected by the petitioner in his representation directs the second respondent to forward necessary records as sought for by the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent on receipt of the same is directed to consider the same and pass orders in accordance with law within a period of four weeks thereafter and inform the decision taken, to the petitioner.

7.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
Office of the Tahsildar Ayanavaram
Chennai - 600 023

2 The Tahsildar
Office of the Tahsildar Perambur,
Chennai - 600 011

1 cc to MR.A.T.Jayaraman, Advocate, sr. 30153
1 cc to Government Pleader, Sr. 30336

W.P.No.17534 of 2015

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