

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.24346 of 2015

Mrs.Renuka

.. Petitioner

Vs.

1. The Tahsildar,
Chengalpattu Taluk Office,
Chengalpattu.

2. The District Collector, Kancheepuram District.
Respondents

..

Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus to direct the first respondent to consider the representation of the petitioner, dated 09.06.2014 and measure the plot belonging to the petitioner bearing Plot No.74, measuring 2740 Sq.Ft. in Amudham Colony Layout, approved under DTCP/LO.No.678/1988 and comprised in S.Nos.4/1B & 4/2, patta No.5068, as per patta S.No.4/1B2, Nandhivaram Village, Chengalpattu Taluk, Kancheepuram District and the adjacent Plot No.73 and fix the boundary stones.

For Petitioner

.. Mr.S.Jaganathan

For Respondents

.. Mr.S.Diwakar, Addl.G.P.

ORDER

Claiming to be the owner of the property in S.Nos.4/1.B and 4/2 of Nandhivaram Village, Chengalpattu Taluk, Kancheepuram District, as per the patta issued, the petitioner made various representations to the respondents-authorities, followed by reminder/application with challan, seeking for measurement of the said property and fixing the boundary stones, based upon which, initially Land Surveyor measured the property. Since there was objection by the aggrieved parties, the petitioner made a representation dated 09.06.2014 to the first respondent-Tahsildar, seeking for survey with the assistance of a Head Surveyor. As no action was taken on the above representation dated 09.06.2014, the present Writ Petition is filed.

2. This Court is not willing to go into the inter-se dispute between the parties. One thing is clear that the said representation dated 09.06.2014 of the petitioner, sent to the first respondent, is

still pending consideration.

3. Whether the survey has to be done by the Land Surveyor or the Head Surveyor, is a matter to be considered by the respondents-authorities. It is needless to state that the request for survey by the Head Survey is pending considering before the first respondent before whom the said representation is still pending.

4. Therefore, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the first respondent-Tahsildar to pass orders on the above said representation dated 09.06.2014, on merits and in accordance with law, and also under the instructions of the second respondent-District Collector, and after giving an opportunity of hearing to the petitioner and if any aggrieved parties, and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order or within a period of eight weeks from the date of production of a copy of this order by the petitioner enclosing the copy of the above said representations. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

cs

Copy to

1. The Tahsildar,
Chengalpattu Taluk Office,
Chengalpattu.
2. The District Collector, Kancheepuram District.

+1 cc to the Government Pleader High Court Madras
sr.41633

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