

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2793 of 2015

Mr.Sanjay Tulsyan

.. Petitioner

Versus

1. The Tashildar
Office of Tahsildar
Solinganallur
Kancheepuram District

2. M/s. Chinmaya Mission
No.2, 13th Avenue
Harington Road, Chetpet,
Chennai - 600 031

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to identify, measure and demarcate the subject property situated at No.141, Uthandi Village Now Tambaram Taluk, Kancheepuram District comprised in R.S.No.2/2A & 3/1 now sub-divided as New Survey Nos.2/6B 2/6C 2/6D & 2/12B and measuring to total extent of acre 38 cents.

For Petitioner : Mr.S.Ashok Kumar
For R1 to R3 : Mr. M.L.Mahendran
Government Advocate

ORDER

Heard Mr.S.Ashok Kumar, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the first respondent and with their consent, the writ petition itself is taken up for disposal at the admission stage.

2. The petitioner states that he is the absolute owner of the property measuring to total extent of acre 38 cents comprised in R.S.No.2/2A & 3/1 now sub-divided as New Survey Nos.2/6B 2/6C 2/6D & 2/12B. The petitioner sought for identifying, measuring and demarcating the property.

3. It appears that the second respondent has raised an objection. The first respondent has issued two notices to the second

respondent as well as the petitioner and it is stated by the petitioner that the second respondent has not appeared through its representative on both occasion and, therefore, the petitioner seeks for proper direction.

4. In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the first respondent to consider the petitioner's representation dated 26.12.2014 and if already notices have been issued to him, one more opportunity has to be granted both to the petitioner as well as the second respondent and pass orders on merits and in accordance with law as expeditiously as possible.

5. Since the writ petition is disposed of at the admission stage without notice to the second respondent, the merits of the allegation made by the petitioner in the writ petition as well as in the representation are not gone into and it is left open to the first respondent to consider and decide the same on merits and in accordance with law.

6. The writ petition is disposed of with the above direction. No costs.

-s/d-
Deputy Registrar (J)
Dt:10/2/2015

True Copy

Sub-Assistant Registrar

To

The Tashildar
Office of Tahsildar
Solinganallur
Kancheepuram District

+ 1 cc to Mr.S.Ashok KUMar, Advocate SR 6403

+ 1 cc to Government Pleader SR 6380

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