

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15758 of 2016

1.G.Duraiswamy
2.D.Susheela

... Petitioners

Vs.

1 The Thasildar
Thiruvallur Taluk Office,
Thiruvallur.

2 The Head Surveyor
Thiruvallur Taluk Office
Thiruvallur.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st and 2nd respondent herein to measure the petitioners' land on the basis of the petitioners representation letter dated on 08.12.2015.

For Petitioners : Mr.R.Venkateshwaran

For Respondents : Mr.V.S.Ramesh
Government Advocate

O R D E R

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

2.The petitioners claim that they are the legal heirs of the deceased late G.Suseela, who was the owner of the land admeasuring an extent of 0-13 cents comprised in survey no.142/3, Chittrambakkam village, Thiruvallur District, purchased by her vide registered sale deed bearing document no.2344 of 1961 dated 20.06.1991.

3.The first petitioner would further state that his wife/ second petitioner is the owner of the land measuring 528 sq.ft in survey no.7/2, block no.58 of the same village in patta no.79 and both of them have decided to construct a building and however, the adjacent land owner had encroached the land and therefore, the petitioners had submitted applications/

representations dated 31.12.2013 to the first respondent praying for sub-division and also issue separate patta by paying necessary fees and since no orders have been passed, came forward to file this writ petition.

4.Mr.R.Venkateshwaran, learned counsel appearing for the petitioners would submit that since their applications have been kept pending for nearly two years, the petitioners are constrained to approach this Court for appropriate reason.

5.This Court also heard the submissions of Mr.V.S.Ramesh, learned Government Advocate, who accepts notice on behalf of the respondents.

6.Though the petitioners prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioners to submit a reminder along with a copy of this order, as well as the earlier representations dated 31.12.2013 to 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 said representation in accordance with law, after putting on notice, Mr.Dhanasekar son of Elumalai and pass orders, within a further period of four weeks thereafter and communicate the decision taken, to the petitioner as well as to Mr.Dhanasekar.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1 The Thasildar
Thiruvallur Taluk Office,Thiruvallur.

2 The Head Surveyor
Thiruvallur Taluk Office, Thiruvallur.

+1cc to M/s. R Venkateshwaran, Advocate, S.R.No.38706
+1cc to the Government Pleader, S.R.No.38964

PPA(CO)
EU(05/08/2016)

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