

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17069 of 2016

M.George

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Petitioner

Vs.

- 1 The District Collector
Chennai District, Singaravelar
Maaligai, Chennai 600 001.
- 2 The Tahsildar
Ayanavaram Taluk [then Purasawalkam-
Perambur Taluk], Ayanavaram
Chennai 600023.
- 3 The Assistant Director of Survey
District Collectorate, Singaravelar maaligai
Chennai 600 001.

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate order within a stipulated time period to rectify the defects in Town Survey as per the detailed report by the 3rd respondent and the order vide Rc.No.A3/39340/2012 dated 06.12.2013 and 03.01.2014 passed by the 2nd respondent with respect to the writ petition No.27580/2012 thereby rectifying the revenue records maintained by the 1st and 2nd respondents with regard to the petitioner's property within a stipulated time period and thereby directing the 2nd respondent to issue patta in favour of the petitioner within a stipulated time period.

For Petitioner : Mr.R.Arvind
For RR 1 to 3 : Mr.S.Govindasamy
Special Government Pleader

O R D E R

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

2 The petitioner originally filed WP.27580/2012 challenging the order of the Divisional Officer, Zone-VI, Corporation of Chennai, Chennai-23, dated 11.09.2012, calling upon him to demolish the wall. The First Bench of this Court, vide order dated 28.11.2012, has directed the petitioner herein as well as the 5th respondent therein, viz., G.Shanmugam, to produce all the relevant documents before the Tahsildar, Perambur, Chennai, who was directed to consider the said records and take final decision in this matter and also act in accordance with law. The said official, in compliance of the above said order, vide proceedings dated 06.12.2013, has concluded that there is no encroachment on the part of the petitioner ; but observed that based on the documents and report of the Assistant Director of Survey, the land to an extent of 120 sq.ft., in TS.No.20, belongs to the petitioner and the orders from the Collector for rectification of defects in Town Survey is awaited. The grievance expressed by the petitioner is that in this regard, he has submitted a representation dated 30.10.2014 to the 1st respondent and also a representation dated 02.03.2015 to the 2nd respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.S.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2 and Mr.A.Nagarajan, learned counsel who accepts notice on behalf of the 3rd respondent.

4 This Court, in the light of the above facts and circumstances, permits the petitioner to submit one more representation to the 1st respondent, by enclosing a copy of the proceedings of the 2nd respondent dated 06.12.2013 within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of the same, is directed to consider the said representation on merits and in accordance with law and pass orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

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

AP

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

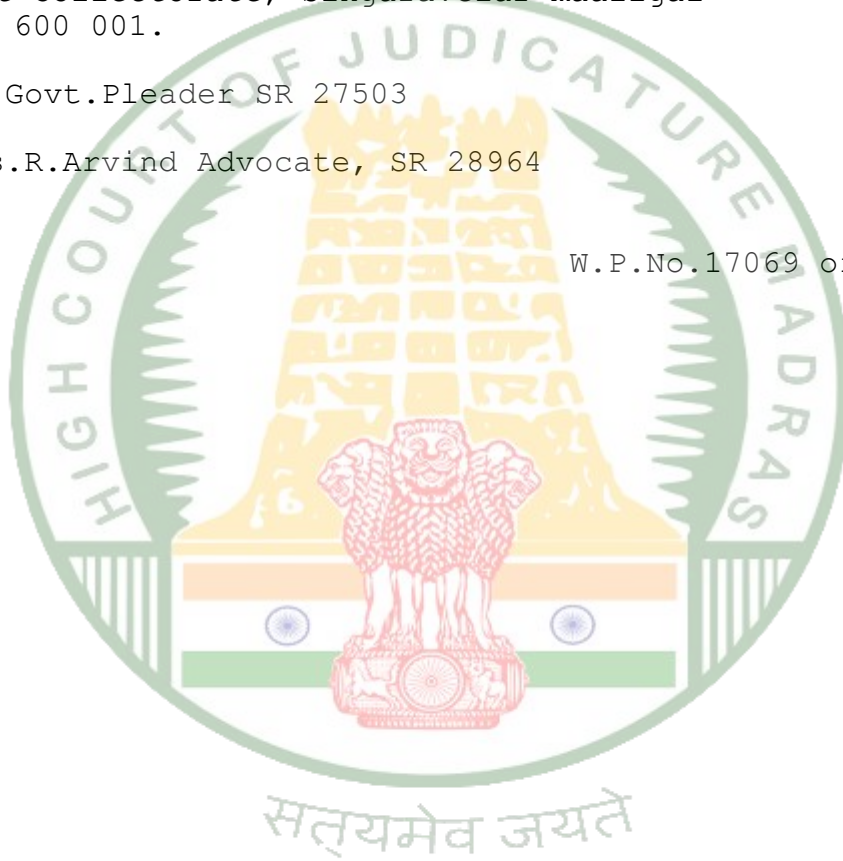
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+ 1 cc to Govt.Pleader SR 27503

+ 1 cc M/s.R.Arvind Advocate, SR 28964

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