

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2016

CORAM:

THE HON 'BLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.19641 of 2016

Mrs. Kasturi

... Petitioner

Versus

1. The Revenue Divisional Officer,
Ambattur, Chennai - 600 053
2. The Tahsildar, Ambattur,
Chennai - 600 053
3. The Head Surveyor, Ambattur Taluk Office,
Ambattur, Chennai - 600 053
4. The Village Administrative Officer,
Ayappakkam, Ambattur,
Chennai - 600 053

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents to consider the petitioner's representation, dated 06.04.2016 and 23.05.2016, pursuant to measure the petitioner's house-site situated in Survey No.289/7 to an extent of 6,615 sq.ft., vide Old Door No.342, New No.2937, Ayappakkam Village, Ambattur Taluk, Chennai, within a stipulated period that may be fixed by this Court.

For Petitioner : Mr. M.Saravana kumar

For Respondents : Mr. R.A.S.Senthilvel, AGP.,

सत्यमेव जयते
O R D E R

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

2. The petitioner claims that she is the absolute owner of the vacant land in Survey No.289/7, ad-measuring to an extent of 6,615 sq.ft., along with the super structure bearing Old Door No.342, New No.2937 situated at Ayappakkam Village, Ambattur Taluk and the said property originally belonged to her husband, namely, A.P.Venkatesan, S/o. A.Ponnan @ Ponnusamy, who in turn had settled the said property in her favour, through a registered settlement deed No.6167 of 2010 at SRO, Ambattur, Chennai, and the petitioner claims to be in possession and enjoyment of the same without the hindrance / disturbance of anybody. The petitioner, on account of her old

age, wants to sell the property in favour of the third party and accordingly, entered into an agreement of sale, on 28.08.2010, at the instance of the third party. It is her further case that in order to construct a pucca compound wall around the property, the petitioner and her adjacent property owner had mutually decided to measure the land and in this regard, she has submitted a representation dated 06.04.2016, followed by a reminder, dated 23.05.2016. Since no orders have been passed, the petitioner came forward to file this writ petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner was also issued with the patta, dated 21.09.2010 and since her right, title and possession are not in dispute, there cannot be any impediment on the part of the second and third respondents to survey and measure the land and prays for appropriate orders.

4. This Court heard the submissions made by the learned counsel for the petitioner and Mr. R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the second and third respondents to consider and dispose of the petitioner's representations, dated 06.04.2016 and 23.05.2016, on merits and in accordance with law, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

सत्यमेव जयते

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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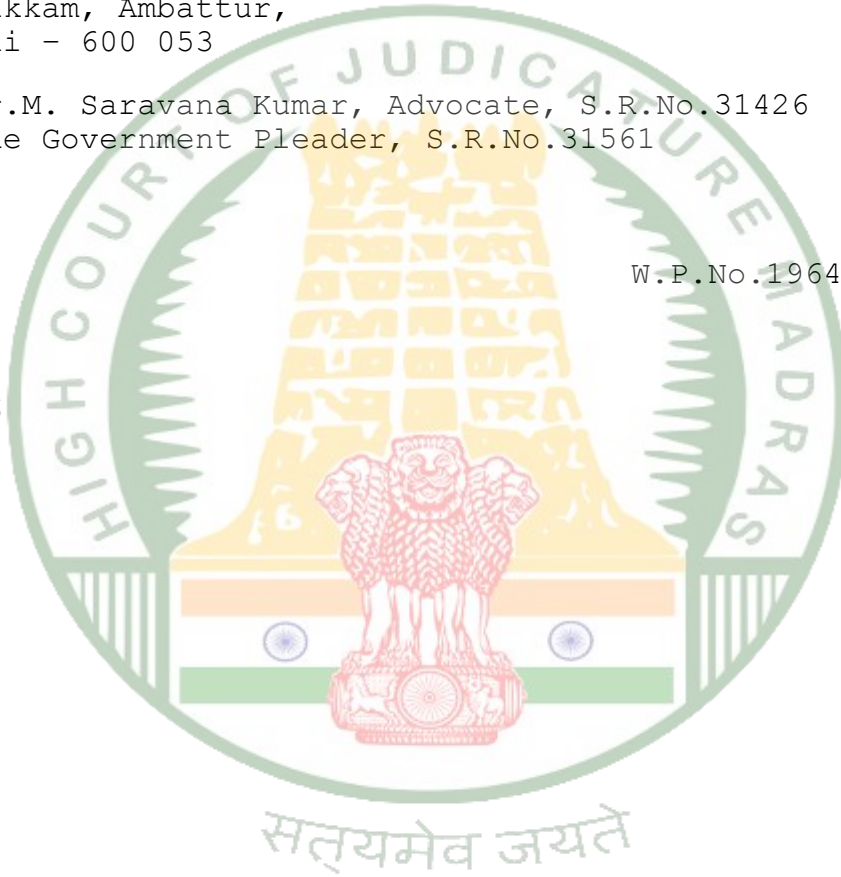
To

1. The Revenue Divisional Officer,
Ambattur, Chennai - 600 053
2. The Tahsildar, Ambattur,
Chennai - 600 053
3. The Head Surveyor, Ambattur Taluk Office,
Ambattur, Chennai - 600 053
4. The Village Administrative Officer,
Ayappakkam, Ambattur,
Chennai - 600 053

+1cc to Mr.M. Saravana Kumar, Advocate, S.R.No.31426
+1cc to the Government Pleader, S.R.No.31561

W.P.No.19641 of 2016

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