

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 16.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20263 of 2016

M.Vasudevan

... Petitioner

Versus

1. The Tahsildar
Velachery Taluk,
Velachery, Chennai-113.

2. Hicon Builders
4B-386, Ram Garden
Palawakkam, Chennai-41.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to survey, demarcate and fix the boundaries of the land and building of the petitioner as specified and conferred by patta in SR.File No.216/2012 dated 18.04.2013, having an extent of 1259 sq.ft. [1.17 ares] as comprised in S.No.272, O.s.No.183 Part, Thiruvannmiyur village, Part No.61, then Mylapore-Triplicane Taluk and now situate within the Thiruvannmiyur Taluk, Chennai District within a time frame limit.

For Petitioner : Mr.P.G.Thyagu

For R1 : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

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

2. The petitioner claims to be a retired Ship Navigator [Grade-II] of Chennai Port Trust and the property in occupation, is classified as Grama-Natham. The petitioner is in possession of the said property for quite a long time and the ownership of the petitioner was also regularised by the Natham Land Survey Tahsildar-cum-Revenue Tahsildar, by passing an order in S.R.File No.216/2012 dated 18.04.2013 in respect of the land, measuring to an extent of 1259 sq.ft. The

petitioner had also put up a superstructure with plinth area of 1034 sq.ft. The 2nd respondent tried to interfere with his possession and therefore, the petitioner approached the 1st respondent in the form of representation dated 29.08.2015 to survey and fix boundaries. It was also followed by an application dated 24.05.2016 and since no orders have been passed, the petitioner is constrained to approach this Court by filing the present writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the 1st respondent.

4. Though the petitioner has 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, directs the 1st respondent to consider and dispose of the petitioner's application dated 24.05.2016 in accordance with law, after putting on notice, the 2nd respondent herein and pass orders within a period of three months from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the 2nd respondent herein.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

The Tahsildar
Velachery Taluk,
Velachery, Chennai-113.

+1cc to Mr.P.G.Thyagu, Advocate, S.R.No.33012
+1cc to the Government Pleader, S.R.No.33315

W.P.No.20263 of 2016

UG(CO)
CA(29/06/2016)