

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27103/2016

N.Amul .. Petitioner

Versus

1.The Tahsildar
Ambattur Taluk, Ambattur
Thiruvallur District.

2.C.M.Raghupathy
3.Rukmanganadhan

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to depute the Taluk Surveyor to survey the lands in Survey No.232/14G2, 232/15Q2 and 232/15R as per patta Nos.2678 & 2679, Morai Village, Ambattur Taluk after issue of notice to the respondents 2 and 3.

For Petitioner : Mr.P.Krishnan

For R1 : Mr.P.Sanjay Gandhi, AGP

ORDER

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

2 The petitioner claims to be one of the successors in interest in respect of the property admeasuring to an extent of 8 cents in survey Nos.232/14G situate at Morai village, through a registered Sale Deed bearing Document No.1410/1988 dated 25.02.1988 and patta was also issued in the name of her mother bearing No.2678. The petitioner would further state that the 2nd respondent, who is her junior father, also filed a suit in OS.No.567/2005 on the file of the Court of District Munsif, Ambattur, for permanent injunction and the suit was dismissed on 19.01.2016 and no further application was preferred challenging the legality of the said judgment dated 19.01.2016. It is also stated that after the dismissal of the said suit, her mother had applied for surveying of the lands on the basis of patta and since the 2nd respondent had objected for further survey of the land, the Surveyor had stopped to

survey the lands. In this regard, the petitioner has submitted a representation dated 11.07.2016 to the 1st respondent to survey and measure the lands and despite the receipt of the same, no orders have been passed and hence, she came forward to file the present writ petition.

3 Heard the submissions of Mr.P.Krishnan, learned counsel appearing for the petitioner and Mr.P.Sanjay Gandhi, 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 21.03.2016 as well as the representation dated 11.07.2016 in accordance with law, after putting on notice, the respondents 2 and 3 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 2 and 3.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AP

To

The Tahsildar
Ambattur Taluk, Ambattur
Thiruvallur District.

1 cc to Mr.P.Krishnan, Advocate, sr.44238
1 cc to Government Pleader, sr.44564

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