

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.42024/2016 & CMP.No.35962/2016

D.Banu

.. Petitioner

Vs.

The Tahsildar
Poonamallee Taluk, Poonamallee,
Chennai 600056.

.. Respondent

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to survey the lands comprised in Survey Nos.12/5, 12/1, 12/4G and 12/3B, Sundara Sholavaram Village, Poonamallee Taluk, Tiruvallur District on the application of the petitioner dated 31.03.2016 vide fee receipt dated 31.03.2016.

For Petitioner	:	Mr.R.Suresh Kumar for M/s.K.M.Vijayan Associates
For Respondent	:	Mr.P.Chinnadurai, GA

ORDER

Heard the learned counsel for the petitioner and Mr.P.Chinna Durai, learned Government Advocate who accepts notice on behalf of the respondent and with the consent on either side, the writ petition is taken up for final disposal.

owner of the property measuring to an extent of 5.03 cents comprised in S.Nos.12/5, 12/1, 12/4G and 12/3B, situated at Sundara Sholavaram Village, Poonamallee Taluk, Thiruvallur District. Earlier, the property in question belonged to one Nainan and thereafter, the same was transferred to one Dhanammal and Pandurangan, from whom, M/s./shri Asvini Brick Industries, have purchased the same during the year 2001, in which company, the petitioner was a partner. Subsequent to the Family Partition done during the year 2011, the petitioner got the above mentioned properties by way of Release Deed dated 04.02.2011, vide Doc.No.1282/2011. Patta was also granted in her favour vide Patta No.7159 dated 28.11.2013. Since purchase, the petitioner is the absolute owner of the property and necessary fees have been paid in this regard. The petitioner approached the respondent by way of a representation / application dated 31.03.2016 seeking survey of the lands in the above survey numbers and also paid necessary fees. It is the grievance of the petitioner that since the lands in question are not surveyed, the same could not be used by her and put up a fencing. Since no action was forth coming on her representation, the petitioner is before this Court, by filing the present writ petition.

this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in her representation dated 31.03.2016 directs the respondent to consider and dispose of the petitioner's representation dated 31.03.2016 on merits and in accordance with law, after issuing notice to the person/s concerned and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the person/s concerned.

4 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

30.11.2016

AP

To

The Tahsildar
Poonamallee Taluk, Poonamallee,
Chennai 600056.

B.RAJENDRAN, J.,
AP

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