

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.14662 of 2017

C.Jothi

.. Petitioner

Vs.

1.The District Collector,
Chennai District,
Office of the District Collector,
Rajaji Salai, Chennai.

2.The Tahsildar,
Aminjikarai Taluk,
Chennai District.

3.The Estate Officer,
Integral Coach Factory,
Villivakkam,
Chennai-38.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus to direct the respondents 1 and 2 to act upon the petitioner's applications dated 31.03.2015 and 24.02.2017 and survey and fix the boundaries for the petitioner's land viz., all that Plot Nos.4,5,6,7,8 and 9 in all measuring 18 cents, comprised in Old Survey No.204/2A, 75 Villivakkam Village, Perambur-Purasawakkam Taluk (formerly Saidapet Taluk), now comprised in T.S.No.280 (Part) Perambur-Purasawakkam Taluk by directing the third respondent to furnish the field map sketch of their property in the said village together with land acquisition award copy to enable the respondents 1 and 2 to fix the boundaries thereof for enabling the petitioner to make development in her property without any dispute with the third respondent, within a time to be stipulated by this court.

For Petitioner : Mr.Thanka Sivan

For Respondents : Mr.E.BalaMurugan AGP
M.Vijaya Anand, R3

O R D E R

The petitioner seeks for the following relief:

To issue a writ of mandamus to direct the respondents 1 and 2 to act upon the petitioner's applications dated 31.03.2015 and 24.02.2017 and survey and fix the boundaries for the petitioner's land viz., all that Plot Nos.4,5,6,7,8 and 9 in all measuring 18 cents, comprised in Old Survey No.204/2A, 75 Villivakkam Village, Perambur-Purasawakkam Taluk (formerly Saidapet Taluk), now comprised in T.S.No.280 (Part) Perambur-Purasawakkam Taluk by directing the third respondent to furnish the field map sketch of their property in the said village together with land acquisition award copy to enable the respondents 1 and 2 to fix the boundaries thereof for enabling the petitioner to make development in her property without any dispute with the third respondent

2.Heard both sides.

3.The grievance of the petitioner is that her applications filed on 31.03.2015 and 24.02.2017, seeking for survey and fixing the boundaries in respect of the property referred to in the writ petition, has not been considered so far. Needless to say that it is for the second respondent to consider the said request of the petitioner and pass appropriate orders on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the third respondent and also other interested persons, if any. The petitioner as well as the third respondent shall cooperate with the second respondent in deciding the applications of the petitioner by placing appropriate material records. Thus, this writ petition is disposed of, without expressing any view on the merits of the claim made by the respective parties, only with a direction to the second respondent to dispose of the petitioner's applications dated 31.03.2015 and 24.02.2017 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the third respondent and other interested parties, if any. Such exercise shall be done by the second respondent within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Chennai District,
Office of the District Collector,
Rajaji Salai, Chennai.

2.The Tahsildar,
Aminjikarai Taluk,
Chennai District.

3.The Estate Officer,
Integral Coach Factory,
Villivakkam,
Chennai-38.

+lcc to Mr.S.Thanka Sivam, Advocate, S.R.No.29398

+lcc to Mr.M.Vijay Anand, Advocate, S.R.No.79221

+lcc to the Government Pleader, S.R.No.79329

W.P.No.14662 of 2017

NM(CO)
GN(20/11/2017)



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