

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.25990 of 2017

The New Kanniyamman Nagar
Grama Munnetra Pothunala Sangam
(The New Kanniyamman Nagar Welfare Association)
(Regd.No.413/2014)
Rep. by its President S.Venkatesan
No.1117, C-Block,
New Kanniyamman Nagar,
Morai Village, Chennai-600 055. ... Petitioner

Vs.

1. The Secretary to Government
Revenue Department
Government of Tamil Nadu
Fort St.George, Chennai-600 009.
2. The Commissioner
Land Administration
Government of Tamil Nadu
Ezhilagam, Chennai-600 005.
3. The Assistant Director (Drafting)
Central Land Survey Office
Chepauk, Chennai-600 005.
4. The District Collector
Thiruvallur District.
Thiruvallur.
5. The District Revenue Officer
O/o. District Collectorate
Thiruvallur District, Thiruvallur.
6. The Tahsildar
Ambattur Taluk
Thiruvallur District.
7. The Tahsildar
Avadi Taluk
Thiruvallur District, Avadi - 600 054. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to survey lands comprised in Survey Nos.289, 294/6 and 294/7 and such other Survey numbers of Morai Village, Avadi Taluk, Thiruvallur District, which were assigned for forming of "New Kanniyamman Nagar" and to identify the places were left for the public purposes of New Kanniyamman Nagar and consequently direct the 4th, 5th and 7th respondents to issue Assignment Order as per the list prepared with the signature of the allottee at the time of issuing "Yellow Token" and to mutate the revenue records like 'A' Register and F.M.B. and other relevant records in the name of each allottees and to regularise the same.

For Petitioner : Mr.P.G.Thiyagu
For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is a welfare association seeking for a direction to the respondents to survey the lands comprised in Survey Nos.289, 294/6 and 294/7 and such other Survey numbers of Morai Village, Avadi Taluk, Thiruvallur District, which were assigned for forming of "New Kanniyamman Nagar" and to identify the places were left for the public purposes of New Kanniyamman Nagar and consequently direct the 4th, 5th and 7th respondents to issue Assignment Order as per the list prepared with the signature of the allottee at the time of issuing "Yellow Token" and to mutate the revenue records like 'A' Register and F.M.B. and other relevant records in the name of each allottees and to regularise the same.

3. According to the petitioner, the members of the petitioner Association are in occupation and enjoyment of the subject matter property from 2008 onwards. The grievance of the petitioner is that inspite of their repeated request, survey of the said land has not been made with specific identification of the places meant for public purposes and also by granting regular assignment orders to the allottees. Needless to say that this Court, cannot go into the merits of the claim made by the petitioner, as it is for the competent official viz., the fourth respondent has to consider and decide the same. It is seen that the petitioner Association has made a recent representation on 25.07.2017 to all the respondents. It is further stated that the said representation is still pending and not considered.

4. Therefore, without expressing any view on the claim made by the petitioner, this writ petition is disposed of, only by directing the fourth respondent to consider the said representation of the petitioner and pass orders on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner. Such exercise shall be done by the fourth respondent within a period of twelve weeks. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The Secretary to Government
Revenue Department
Government of Tamil Nadu
Fort St.George, Chennai-600 009.

2.The Commissioner
Land Administration
Government of Tamil Nadu
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6.The Tahsildar
Ambattur Taluk
Thiruvallur District.

7.The Tahsildar
Avadi Taluk
Thiruvallur District, Avadi - 600 054.

+ 1 cc to Mr.P.G.Thiyagu, Advocate,SR.71479

+ 1 cc to The Govt.Pleader, SR.72090

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VGI (CO)
NR 25/10/2017



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