

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 21463 of 2018

M.Subramaniam

.. Petitioner

Vs

- 1.The District Collector,
Tiruvallur District, Tiruvallur
2. The Assistant Director - cum- Personal Assistant
to the District Collector,
Land Survey & Records
Department, Thiruvallur District
3. The District Revenue Officer,
Thiruvallur District
4. The Divisional Inspector of Survey,
Tiruttani Taluk, Tiruttani,
Tiruvallur District
5. The Tahsildar,
Tiruttani Taluk,
Tiruvallur District
6. The Taluk Surveyor,
Tiruttani Taluk,
Tiruvallur District
7. The Revenue Inspector,
Tiruttani Firka,
Tiruttani Taluk, Tiruvallur District
8. M.Vinayagam

9. Ponniamma

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 7 to survey, measure the lands comprised in S.Nos.124/7, 125/1, 126/9, 126/10, 126/12 Murukkambattu village, Tiruttani Taluk, Tiruvallur District and demarcate the lands in accordance with the partition deed dated 25.11.2002 pursuant to the proceedings of the Assistant Director, Survey of Lands & Records, Tiruvallur District in Na.Ka.No.E2/34/2017 dated 16.04.2018.

For Petitioner : Mr.D.Rajagopal

For Respondents: Mr.Jayaprakash Narayanan
Special GovernmentPleader
R1 to R7

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to respondents 1 to 7 to survey and measure the lands comprised in S.Nos.124/7, 125/1, 126/9, 126/10, 126/12 Murukkambattu village, Tiruttani Taluk, Tiruvallur District and demarcate the lands in accordance with the partition deed dated 25.11.2002 pursuant to the proceedings of the Assistant Director, Survey of Lands & Records, Tiruvallur District in Na.Ka.No.E2/34/2017 dated 16.04.2018.

3.According to the learned counsel for the petitioner, the Thasildar/the fifth respondent by proceedings dated 09.04.2018 in Na.Ka.No.985/2018/m6 directed the Assistant Director, Tiruttani/the second respondent to conduct proper survey and file a report to that extent. Pursuant to the same, the Assistant Director communicated the same to the Divisional Inspector of Survey/the fourth respondent for conducting proper survey. According to the learned counsel for the petitioner, the survey has not been done, as directed by the second respondent. Hence, the learned counsel seeks proper direction.

4.Learned Special Government Pleader taking notice for respondents 1 to 7 submitted that though the survey was completed earlier, the fourth respondent would comply with the direction of the second respondent in letter and spirit and complete the survey properly in the presence of the petitioner as well as respondents 8 and 9.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the fourth respondent to comply with the direction of the second respondent and complete the survey properly in the presence of the petitioner as well as respondents 8 and 9, in accordance with law, after giving notice to all parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Tiruvallur District, Tiruvallur
2. The Assistant Director - cum- Personal Assistant
to the District Collector,
Land Survey & Records
Department, Thiruvallur District
3. The District Revenue Officer,
Thiruvallur District
4. The Divisional Inspector of Survey,
Tiruttani Taluk, Tiruttani,
Tiruvallur District
5. The Tahsildar,
Tiruttani Taluk,
Tiruvallur District
6. The Taluk Surveyor,
Tiruttani Taluk,
Tiruvallur District
7. The Revenue Inspector,
Tiruttani Firka,
Tiruttani Taluk, Tiruvallur District

+1cc to Mrs.D.Rajagopal, Advocate SR.NO.57761
+1cc to Special Government Pleader SR.NO.57927

SVN(CO)
sm:7.9.20185

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