

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.17294 of 2018

A.Kumaran

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Petitioner

-vs-

The Thasildhar,
Poonamallee Taluk,
Poonamallee Taluk Office,
Thiruvallur District.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to Survey the property and demarcate the boundaries of land belongs to the petitioner and his family situated at Thiruvallur District, Poonamallee Taluk, Veeraragavapuram Village in Survey No.10/6 to the extent of 42 cents equal to 17 ares, as per patta No.9, by disposing petitioner's application dated 11.10.2017 within the time limit that may be stipulated by this Court.

For Petitioner :: Mr.R.Aranganathan

For Respondent :: Mr.S.N.Parthasarathy,
Government Advocate

ORDER

The petitioner has come to this Court seeking a direction to the respondent to survey his property and demarcate the boundaries of his land situated at Thiruvallur District, Poonamallee Taluk, Veeraragavapuram Village in Survey No.10/6 to an extent of 42 cents equal to 17 ares, as per patta No.9, by disposing his application dated 11.10.2017 within the time limit that may be stipulated by this Court.

2.The case of the petitioner is that the land and premises situated at Thiruvallur District, Poonamallee Taluk, Veeraragavapuram Village in Survey No.10/6 to the extent of 42 cents equal to 17 ares originally belong to his great grandfather namely Chinnaiya Naidu by virtue of Sale Deed No.546/1935, dated 05.04.1935 on the file of the Sub Registrar Office, Poonamallee and his grandfather settled half of the said

property to his only daughter, who is his grandmother namely C.Cellammal. His father Late Arumugam is the only son of his grandmother. As per Hindu Succession Act, his father succeeded the entire property and died on 26.07.2010 leaving behind his widow wife and his nine children including the petitioner as his legal heirs to succeed his property. For amicable partition between the family members, the petitioner gave an application before the respondent to survey and demarcate their property on 11.10.2017 and the same is still pending despite his repeated request. Therefore, he is before this Court.

3.Learned Government Advocate sought four weeks time to consider the petitioner's representation.

4.Since the petitioner has produced a patta in the name of his father, the respondent is directed to consider the representation given by the petitioner and measure the property after appointing a Land Surveyor, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vga
To

The Thasildhar,
Poonamallee Taluk,
Poonamallee Taluk Office,
Thiruvallur District.

+3cc to Mr.R.Aranganathan, Advocate sr.no.48627
+1cc to Government Pleader in sr.no.46135

W.P. No.17294 of 2018

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