

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.29915 of 2018

Indira Kumari

.. Petitioner

Vs.

1. The Thasildar,
Office of the Thasildar Office,
Chenglepet Taluk,
Kanchipuram District.

2. The Taluk Surveyor,
Chenglepet Taluk,
Kanchipuram District.

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents for surveying and demarcating the said lands of the petitioner for his land to an extent of 8½ cents in Survey No.96/1B in Patta No.1127 in Ninnakarai Village, Chenglpet Taluk, Kanchipuram District.

For Petitioner : Mr.R.Harinath

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is for the issuance of a Writ of Mandamus to direct the respondents to survey and demarcate the petitioner's land measuring to an extent of 8½ cents in Survey No.96/1B in Patta No.1127 situated in Ninnakarai Village, Chenglpet Taluk, Kanchipuram District.

2. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 01.11.2016 seeking to survey and demarcate her land, but, the same is yet to be disposed of by the respondents. However, the learned counsel submitted that it would suffice, if the said representation made by the petitioner is directed to be considered by the first respondent, on merits.

3. Heard Mr.E.Balamurugan, learned Additional Government Pleader on behalf of the respondent, who stated that there are rival disputes between the parties. Hence, they could not proceed with the request of the petitioner.

4. However, the contention of the learned counsel for the petitioner is that the petitioner's land is a patta land and the property has to be surveyed as per the patta.

5. It is the fact that there is a dearth of surveyors in many of the Taluk Offices and there are many petitions and requests as that of the petitioner herein waiting their properties to be surveyed. Hence, the first respondent is directed to have a list of such requests and conduct the survey as per the order of priority. However, any such request for survey of the land shall be done, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and others, if any interested in the matter.

6. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

Srn/av

To

1. The Thasildar,
Office of the Thasildar Office,
Chenglepet Taluk,
Kanchipuram District.

2. The Taluk Surveyor,
Chenglepet Taluk,
Kanchipuram District.

+1cc to Mr.R.Harinath, Advocate, S.R.No. 78636
+1cc to the Government Pleader, S.R.No. 79585

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CA (CO)
GN (17/12/2018)