

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3749 of 2019

1. Saravanan
2. Govindhan
3. D.Sethu
4. Kothandan

...Petitioners

Vs.

1. The Collector
Kancheepuram District.
2. The Revenue Divisional Officer
Vandalur.
3. The Assistant Director of Survey
Chengalpattu.
4. The Tahsildar
Chengalpattu.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to measure, demarcate the property owned by the petitioners in Old Survey No.60 and New Survey No.99, Keerapakkam Village, Vandalur Taluk, Chengalpattu District admeasuring 26 Acres 60 Cents (20 Kani) and consequently, direct the 4th respondent to issue/transfer the patta in the name of the petitioners.

For Petitioners: Mr.G.Surya Narayanan
For Respondents: Mr.S.Soundararajan
Government Advocate

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O R D E R

Mr.S.Soundararajan, learned Government Advocate takes notice for the respondents. By consent of the parties, this main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioners seek for Mandamus directing the third respondent to measure, demarcate the property owned by them in Old Survey No.60 and New Survey No.99, Keerapakkam Village, Vandalur Taluk, Chengalpattu District measuring 26 Acres 60 Cents (20 Kani) and consequently, directing the fourth respondent to issue/transfer the patta in the name of the petitioners.

4. It is stated by the petitioners that the subject matter property was purchased by their father Duraisamy on 14.02.1996 vide Document No.370/1966. The said Duraisamy died on 02.12.2005, leaving the petitioners as his legal heirs, who are in possession of the property. It is seen that the petitioners sent an application on 31.08.2018, followed by the representation dated 19.01.2019, seeking for sub-division and transfer of patta in their favour.

5. Now, the grievance of the petitioners before this Court is that the said request has not been considered by the respondents so far.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the respondents 3 & 4 to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondents 3 & 4 to consider the application dated 31.08.2018 and the representation dated 19.01.2019 and pass orders on the same on merits and in accordance with law, after hearing the petitioners and other interested parties, if any. Such exercise shall be done by the respondents 3 & 4 within a period of eight weeks from the date of receipt of a copy of this order. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mk
To

1.The Collector
Kancheepuram District.

2.The Revenue Divisional Officer
Vandalur.

3.The Assistant Director of Survey
Chengalpattu.

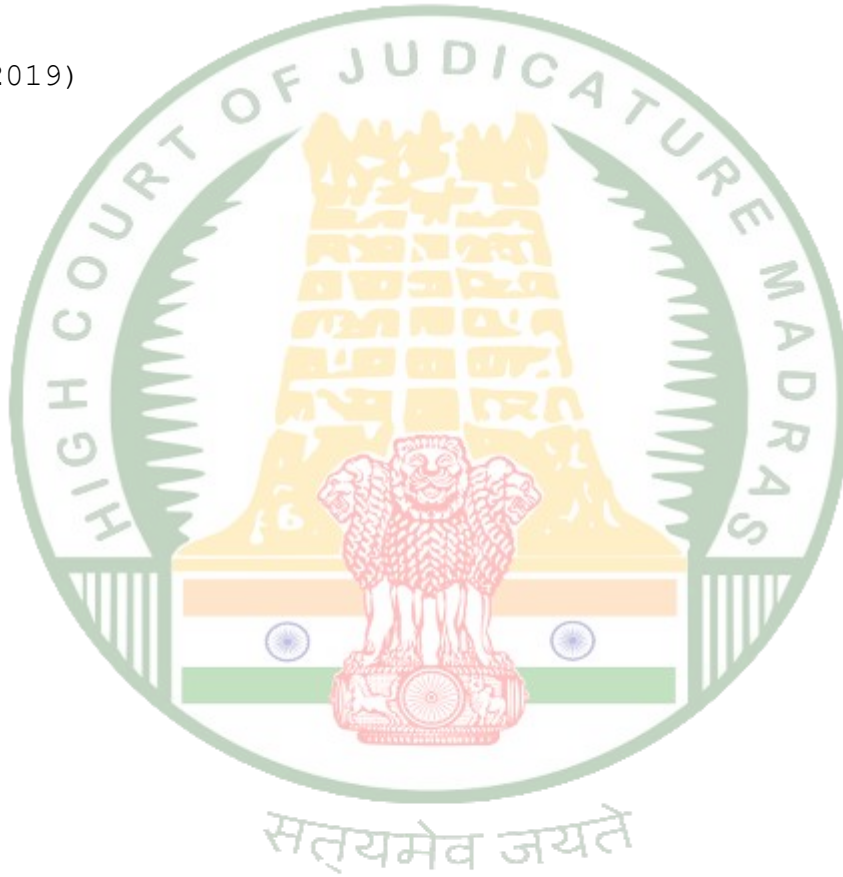
4.The Tahsildar
Chengalpattu.

+1 CC to Mr. Suryanarayanan, Advocate sr 11085.

+1 CC to Govt. Pleader sr 11820.

W.P.No.3749 of 2019

MG (CO)
SP (04/03/2019)



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