

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.09.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.27610 of 2019

P.Jaiganesh

.. Petitioner

/versus/

The District Collector,
Collectorate,
Kancheepuram District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to re-survey the entire old Survey No.189 and declare correct sub division survey number with reference to the representation dated 08.07.2019 within the stipulated period prescribed by this Court.

For Petitioner :Mr.R.Murali

For Respondent :Mr.K.Ravikumar, AGP

ORDER

The prayer in the writ petition is to issue a Writ of Mandamus directing the respondent to re-survey the entire old Survey No.189 and declare correct sub division survey number with reference to the representation dated 08.07.2019 within the stipulated period prescribed by this Court.

2. The petitioner herein has purchased the land measuring 13 cents in S.No.189/9 on 12.07.2006. The sale deed duly registered at Sub Registrar office Tambaram. For getting patta he applied to the authorities. But, to shock and surprise the revenue records indicates that the property in S.No.189/4 stands in the name of one Mahadeva Naicker, who in turn sold the property to one Elumalai Naicker, S/o Ragava Naicker.

3. The learned Additional Government Pleader points out that the pleadings of the petitioner itself is not clear and

it is not certain whether he has purchased the land in S.No.189/4 or in S.No.189/9 and whether his vendor has perfect title to alienate the property.

4. According to the learned Additional Government Pleader, the petitioner has not mentioned correct survey number and it is not sure whether his vendor has title to convey the property as per the sale deed dated 12.07.2006. In the writ petition, he has asked direction to survey the land old S.No.189 and declared the correct sub division and survey number as per the representation dated 08.07.2019. In fact, the representation itself is not given to the appropriate authority. The Special Tahsildar (Town Survey Scheme) Tambaram Taluk, is the appropriate authority to survey the land.

5. Recording the submissions of the learned Additional Government Pleader, this writ petition is dismissed giving liberty to the petitioner to give his representation to the appropriate authority and get his redressal. No costs.

Sd/-

Assistant Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

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To

The District Collector,
Collectorate,
Kancheepuram District.

+1cc to Mr.S.Esakki Muthu, Advocate SR.82528

+1cc to the Government Pleader SR.83192

W.P. No.27610 of 2019

EV(CO)
CB(01/11/2019)

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