

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.10.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.5444 of 2020

P.Chakkubai

.... Petitioner

Vs.

1. The District Collector,
Kanchipuram District,
Kanchipuram.
 2. The District Revenue Officer,
Kanchipuram District,
Kanchipuram.
 3. The Sub Collector,
Kanchipuram,
Kanchipuram District.
 4. The Tazhildar,
Kundrathur Taluk,
Kundrathur, Kanchipuram District.
 5. The Assistant Director of Survey
District Survey Office Collectorate Campus,
Kanchipuram.
 6. Head surveyour,
Kundrathur Taluk,
Kundrathur,
Kanchipuram District.
- ...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to measure and mark the petitioner's lands comprising Survey Nos.129/11, 166/7, 166/9 and 166/10, situated in Vaipur B Block Village, Sriperumbudur Taluk, Kancheepuram District with sufficient police Protection in time bound manner.

For Petitioner
For Respondents

: Mr.A.Manikandan
: Mr.K.Parameswaran
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to act upon the application submitted by the petitioner on 19.10.2015 and the subsequent representation dated 23.01.2019, wherein the petitioner has sought for the survey of the subject property and to mark the boundary stones.

2. Heard the learned counsel for the petitioner and Mr.K.Parameswaran, learned Government Advocate appearing on behalf of the respondents.

3. It is seen from records that the subject property originally belonged to the mother of the petitioner. A Patta was also issued in favour of the mother of the petitioner in Patta No.20. The petitioner found that some other persons managed to get their names added in the revenue records. This was brought to the notice of the RDO, Kancheepuram and by proceedings dated 18.06.2015, the patta was directed to be cancelled and a fresh patta was directed to be issued in the name of the mother of the petitioner. Thereafter, a fresh patta was issued in Patta No.2621 in the name of the mother of the petitioner with respect to the subject properties. The petitioner has inherited the property after the demise of her mother. The petitioner wanted the subject property to be surveyed and hence, submitted an application after paying the necessary fees. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the Tahsildar, Kundrathur Taluk to act upon the application submitted by the petitioner on 19.12.2015 and the subsequent representation dated 23.01.2019 and conduct an enquiry and take a decision with regard to the survey of the subject property. If there are any rival claimants, notice shall be issued to them before taking a final decision with regard to conducting the survey in the subject property. The petitioner is directed to make a fresh representation to the Tahsildar, Kudrathur taluk with all the relevant documents and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

-sd-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kanchipuram District,
Kanchipuram.
2. The District Revenue Officer,
Kanchipuram District,
Kanchipuram.
3. The Sub Collector,
Kanchipuram,
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5. The Assistant Director of Survey
District Survey Office Collectorate Campus,
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6. Head surveyour,
Kundrathur Taluk,
Kundrathur,
Kanchipuram District.

+3 C.C. to MR.C.Sivakumar Advocate SR.NO. 34447

सत्यमेव जयते

W.P.No.5444 of 2020

GP (CO)
VS 19.12.2020

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