

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P. No. 16794 of 2019

M.Velayadum

... Petitioner

Vs

The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to survey petitioner land measuring 140 cents (56.50 hrs) in Survey No.158/4, Patta 266 at Mudaliyar Kuppan Village, Cheyyur Taluk, Kancheepuram District.

For Petitioner : Mr. Ashokavarthanan C.L.
For Respondent : Mr. K.Parameswaran
Government Advocate

सत्यमेव जयते
O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondent to survey the land belonging to the petitioner.

2. The case of the petitioner is that he is the owner of the land in survey No. 158/4 measuring an extent of 1.40 cents. According to the petitioner, he purchased this property by virtue of a registered sale deed dated 02.03.1985. The further

case of the petitioner is that patta No.266 was also issued in favour of the petitioner in the new survey No. 158/4A2. The petitioner wanted the land to be surveyed and therefore, he remitted the necessary fees in the office and requested the respondent to survey the land. Since the land was not surveyed, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Learned Government Advocate appearing on behalf of the respondent, on instructions, submitted that pursuant to the filing of the above Writ Petition, the respondent had conducted the survey. During the survey, it was found that the total extent as found in FMB sketch was wrongly mentioned as 1.28 acres even though, the petitioner is claiming a total extent of 1.40 acres. The land was measured and shown to the petitioner. In order to rectify the defect with regard to the extent of property, the records will be sent to the office of the Assistant Commissioner and necessary corrections will be made to the FMB sketch.

4. Learned counsel for the petitioner submitted that some time limit can be fixed by this Court for carrying out these corrections so that the actual extent will be reflected in the FMB sketch.

5. Taking into consideration the facts and circumstances of the case and the report that has been filed by the Tahsildar, Cheyyur Taluk, before this Court, there shall be a direction to the respondent to immediately take steps to get the corrections rectified in the FMB sketch pertaining to Survey No. 158/4A2 from the same office. This process shall be completed by the respondent within a period of six weeks from the date of receipt of copy of this order. After the corrections are carried out, the same shall be intimated to the petitioner.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

bkn

To
The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.

+1cc to Mr.Ashokavarathanan, Advocate, S.R.No.18101.

+1cc to the Government Pleader, S.R.No.19255.

W.P. No. 16794 of 2019

LN(CO)

VSI-2(28.05.2020)



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