



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28277 of 2016

M.Krishnaveni

..Petitioner

vs

1. The District Collector,
Chennai District,
Office of the District Collector,
Singaravelar Maligai,
Chennai.

2. The Tahsildhar,
Egmore Taluk, Chennai.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to cancel the entries in the Town Survey Extract CA No.751/96-97 pertaining to Old S.No.406/1, New S.No.406/186, Egmore Division, bearing present Door No.1/15, 8th Street, Mangalapuram, Chetpet, Chennai - 600 031 and issue fresh Town Survey Extract in the joint names of all the legal heirs of Late Muthusamy.

For Petitioner : Mr.P.Babu

For Respondents: Mr.V.Veluchamy
Government Advocate

O R D E R

The relief as such sought for in the present writ petition is to direct the respondents to cancel the entries in the Town Survey Extract CA No.751/96-97 pertaining to Old S.No.406/1, New S.No.406/186, Egmore Division, bearing present Door No.1/15, 8th Street, Mangalapuram, Chetpet, Chennai - 600 031 and issue fresh Town Survey Extract in the joint names of all the legal heirs of Late Muthusamy.

2. The relief as such sought for in the present writ



petition cannot be granted by the High Court in a writ proceedings under Article 226 of the Constitution of India. For cancellation of the entries made in the Town Survey Extract, requires an adjudication based on documents and evidences to be produced before the Competent Authorities. The allegations set out in the writ petition are relating to the civil rights of the parties and in order to establish the civil rights already civil suits are also filed by the parties. It is stated in the affidavit that a suit for partition and separate possession was filed in O.S.No.2741 of 2004. If at all, the suit ended in favour of either of the parties, those parties are bound to produce all such documents before the Competent Authorities for conducting enquiry and only after conducting enquiry with reference to the documents and evidences, such cancellation of entries are to be made by following the procedures as contemplated.

3. This being the principles to be followed, the petitioner is at liberty to approach the Civil Court for adjudication of Civil Rights and for entries relating to revenue documents, petitioner is at liberty to approach the Competent Court of Law by producing necessary documents for establishing their case.

4. With this liberty, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

pns

To

1. The District Collector,
Chennai District,
Office of the District Collector,
Singaravelar Maligai,
Chennai.
2. The Tahsildhar,
Egmore Taluk, Chennai.

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SJ(CO)
SU(27/10/2021)