



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V. BHAVANI SUBBAROYAN

W.P.NO.20128 OF 2019

T.R.Sahadevan

...Petitioner

Versus

1.The Secretary to Government,
Revenue Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Chennai.

3.The Tahsildar,
Tahsildar's Office,
Velacherry,
Chennai.

4.The Tahsildar,
Tahsildar's Office,
Sozhinganallur,
Chennai.

...Respondents

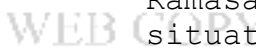
Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to survey the lands in Survey No.317/1 to the total extent of 63 acres 79 cents and consequently direct the respondents to consider the petitioner's representation dated 14.02.2019.

For Petitioner : Mr.M.N.Kathir

For Respondents : Mr.V.Veluchamy
Government Advocate

O R D E R

This writ petition is filed for the issuance of a Writ of Mandamus, directing the respondents to survey the lands in Survey No.317/1 to the total extent of 63 acres 79 cents and



2. The case of the petitioner is that his father one Ramasamy purchased a property from one K.Nadesan, which is situated at layout map No.LPDM/26/70 patta No.339, in Survey No.317/1A (part) Velacherry Village, Saidapet Sub District, to an extent of 1 acre 80 cent which was registered by the Sub Registrar Saidapet, bearing registration No.3992/1981. It is stated that after the death of the petitioner's father, the petitioner approached the third respondent requesting issuance of patta for Survey No.317/1A (part). It is further stated that the third respondent replied that the above said land was not covered in his jurisdiction and hence did not issue patta. Hence, the petitioner approached the fourth respondent requesting for issuance of patta and the fourth respondent has also informed the petitioner that the subject land was not covered in his jurisdiction. It is stated that the Tahsildar of Guindy / Mambalam had already measured the subject land and issued field map. It is further stated that the respondents wrongly surveyed the said land at the time of town survey. Hence the petitioner approached the Assistant Commissioner, Town Land Tax, Guindy, on 20.11.2017 requesting for paying land tax in his land. On 15.05.2018 the said Assistant Commissioner, Town Land Tax, Guindy verified the documents and allowed the petitioner to pay land tax. The contention of the petitioner is that till date he has not received any reply from the respondents on his representation dated 14.02.2019. Hence, he filed the present writ petition.

3. Learned counsel for the petitioner submitted that the petitioner is the legal heir of the deceased Ramasamy and he is entitled for issuance of patta for the aforesaid land. However, the respondents have not considered the representation of the petitioner till date. He further submitted that the petitioner was made to run from pillar to post for his entitlement of patta.

4. Learned Government Advocate appearing for the respondents produced before this Court the letter of the fourth respondent dated 20.01.2020. In the letter is it stated that the said land was measured by the team of officials and it was found that the property claimed by the petitioner is comprised in two different villages (i.e. a meagre portion comprised in Survey Number 1/73 of Block No.189 of Velacherry village and a meagre portion of the land held by the petitioner is comprised in S.No.658 of Pallikaranai village). It is further stated that a sketch in this regard has been prepared by the Field Surveyor and submitted herewith. The portions of land held by the petitioner in both the villages are more particularly described in the sketch are also submitted. Hence, the learned Government



Advocate submitted that the order of this Court dated 29.08.2019 has already been complied with. If the lands have been already measured the same to be informed to the petitioner.

5. Considering the above facts and circumstances of the case this Court directs the respondents to consider the petitioner's representation dated 14.02.2019 and to pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The respondents are also directed to return the field map to the petitioner.

6. With the above directions this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

bkn

To

1.The Secretary to Government,
Revenue Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Chennai.

3.The Tahsildar,
Tahsildar's Office,
Velacherry,
Chennai.

4.The Tahsildar,
Tahsildar's Office,
Sozhinganallur,
Chennai.

+1cc to the Government Pleader Sr.No.55088

W.P. No.20128 of 2019

SSI (CO)
RVM(14/02/2022)