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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16035/2021

[Video Conferencing]

1.E.K.Mariappan
2.Saradambal
3.Gowri

... Petitioners

Versus

1.The Revenue Divisional Officer,
Tambaram RDO Office,
GST Road, West Tambaram,
Chennai - 600 045.

2.The Tahsildar,
Sozhinganallur,
Chennai - 600 115.

3.The Chief Surveyor,
Taluk Office, Sozhinganallur,
Chennai - 600 115.

... Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the second respondent to correct the Patta No.950 in respect of the petitioner's land measuring 13 cents in S.No.126/4A1 situated in Injambakkam village, Sozhinganallur Taluk, Chennai District and transfer the said patta in the name of the petitioners and also direct the third respondent to rectify the error in FMB Register in respect of above survey number and demarcate the property in the FMB sketch.

For Petitioners : Mrs.Revathi Manivannan

For RR 1 to 3 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

(1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of respondents 1 to 3.



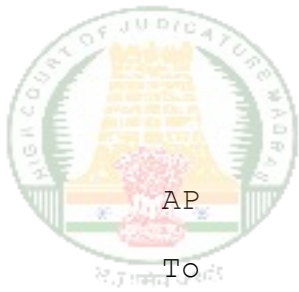
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- (2) The writ petitioners have approached this Court by way of a writ of mandamus. They are the legal heirs of Kumaresa Mudaliyar who, it is understood, expired on 03.08.2010. After his death, the lands which he owned, for which he had also had patta, had devolved to the petitioners herein.. There had been continuous representations made after the death of Kumaresa Mudaliyar to correct the patta and demarcate the land in FMB Sketch. A writ petition in WP.No.37182/2015 had also been filed. A direction was given to the Tahsildar, Sozhinganallur, to pass appropriate orders, vide order dated 23.11.2015. It is claimed that in spite of several reminders, the 2nd respondent had not taken any steps. The entire issue relates to 26 cents in Injambakkam Village, in Chengalpattu District, which had been purchased vide Sale Deed No.286/1970 dated 23.02.1970. Subsequently, there had also been a partition effected between Kumaresa Mudaliyar and his brother Kandasamy Mudaliyar on 24.08.2020. It is under these circumstances, that the writ petition had been filed seeking measurement of the lands of 13 cents in S.No.126/4A1, Injambakkam Village, Sozhinganallur Taluk and also to transfer patta No.950 after correcting the same, in the name of the petitioners and also to rectify the error in FMB Sketch with respect to the said survey number and demarcate the property.
- (3) An omnibus relief has been sought for by the petitioner in the said representation. I am confident that the 2nd respondent would be able to decipher the required requisition made and pass appropriate orders. I would grant additional time for the said officer to examine the representation, issue notice to the writ petitioners and thereafter, pass a considered order. I would grant him sixteen weeks time from the date of receipt of a copy of this order to do the needful.
- (4) The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar



AP

To

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Chennai - 600 115.

3.The Chief Surveyor,
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Chennai - 600 115.

+1cc to M/s.Revathi Manivannan, Advocate Sr.37554
+1cc to the Government Pleader Sr.38490

WP.No.16035/2021

spd[col]
srg 24/08/2021