



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No. 17849 of 2021

Elumalai

...Petitioner

Versus

The Tahsildar
Madurantakam Taluk,
Chengalpattu District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent herein to dispose within time frame the petitioner's representation dated 23.06.2017 seeking demarcation of the petitioner's property which is situated at Perumbakkam Village, Madurantakam Taluk, Chengalpattu District in Survey No.61/2 admeasuring to extent of 28 cents comprised in Patta No.144.

For Petitioner : Mr.K.Thilagaraj

For Respondent : Mr.Yogesh Kanndasan
Government Advocate

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent herein to dispose within time frame the petitioner's representation dated 23.06.2017 seeking demarcation of the petitioner's property which is situated at Perumbakkam Village, Madurantakam Taluk, Chengalpattu District in Survey No.61/2 admeasuring to extent of 28 cents comprised in Patta No.144.

2. According to the petitioner, the property was originally belonged to his paternal grandmother viz., Ellammal. After her demise, the said property orally partitioned among her five sons one of whom is his father Chinnappa. Subsequently, the



petitioner mutated the Patta No.144 in his name with other shareholders namely his mother Mangathai and sister Dhanalakshmi. Thereafter, Survey No.61/2, the total extent is about 54 cents out of which the petitioner along with other legal heirs sold 16 cents to one Manivel, son of Ramasamy vide Sale Deed dated 30.05.2002 in Doc.No.828 of 2002 on the file of SRO, Madurantakam and another piece of land to an extent is about 10 cents has been sold to one Anandan, son of Ramasamy vide Sale Deed dated 30.05.2002 in Doc.No.827/2002 on the file of SRO, Madurantakam, consequently, 26 cents out of 54 cents has been sold leaving 28 cents in his land which has to be demarcated now. Therefore, he made a representation dated 23.06.2017 before the respondent with necessary fee for demarcation of the aforesaid property, but the respondent has not surveyed the property so far. Hence, the petitioner has approached before this Court under Article 226 of the Constitution of India, seeking a direction to the respondent herein.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondent to consider the petitioner's representation dated 23.06.2017 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondent to consider the petitioner's representation dated 23.06.2017 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

msm



To

The Tahsildar,
Madurantakam Taluk,
Chengalpattu District.

+1cc to Mr.G.Magesh Kumar, Advocate Sr No.42891

+1cc to the Government Pleader Sr No.43652

W.P.No. 17849 of 2021

KSM (CO)

PR (27/09/2021)