



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.31403 of 2017

C.Dhanalakshmi

... Petitioner

Vs

1. The Collector of Chennai,
Chennai District,
Singaravellar Maaligai,
Chennai - 1.
2. The District Revenue Officer,
Office of the Chennai Collectorate,
Chennai - 600 001.
3. The Tahsildar,
Egmore-Nungambakkam Taluk Office,
Spur Tank Road,
Chetpet, Chennai - 600 031.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu-Natarajan Maaligai,
Egmore, Chennai - 8.
5. The Special Tahsildar,
Land Acquisition,
Chennai Metropolitan Development Authority,
Thalamuthu-Natarajan Maaligai,
Egmore, Chennai - 8.
6. The Executive Engineer,
Public Work Department,
Chepauk,
Chennai-5.
7. B.Ramachndran
8. R.Radha

... Respondents

Writ Petition is filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,



directing the respondents 1 to 6 jointly in deputing a Surveyor attached to the office of the third respondent, with the co-ordination of one another, to survey both the petitioner's lands and the lands of the seventh and eighth respondents including the land acquired for the 'Virugambakkam Drain Scheme', with the aid of the FMB Sketch pertaining to T.S.Nos.15/16, 24/7, 16/1, 24/1, 15/5, 24/12 and 35/28 of Block No.1 of 109, Puliur Village to ascertain the extent of land which belongs to the petitioner, to enable the third respondent to issue Patta to her, within such period, as may be directed by this Court.

For Petitioner : Mr.C.P.Sivamohan

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader
(for R1 to R3, R5 & R6)
Mr.P.Prabhu (for R7 & R8)

ORDER

This writ petition is filed to issue a Writ of Mandamus, to direct the respondents 1 to 6 jointly in deputing a Surveyor attached to the office of the third respondent, with the co-ordination of one another, to survey both the petitioner's lands and the lands of the seventh and eighth respondents including the land acquired for the 'Virugambakkam Drain Scheme', with the aid of the FMB Sketch pertaining to T.S.Nos.15/16, 24/7, 16/1, 24/1, 15/5, 24/12 and 35/28 of Block No.1 of 109, Puliur Village to ascertain the extent of land which belongs to the petitioner, to enable the third respondent to issue patta to her, within such period, as may be directed by this Court.

2. The petitioner submitted his application in the year 2017 to survey the subject properties. After lapsed a period of 4 years, the application may not be available with the office of the third respondent.

3. Considering the above, the petitioner is directed to submit a fresh application before the third respondent to survey his lands, on payment of requisite fees within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to conduct enquiry on the application, after issuance of notice to the petitioner, the respondents 7 and 8 and other counter parties, if any and after giving an opportunity of hearing to them, pass orders on merits and in accordance with law within a period of twelve weeks thereafter.



4. With the above direction, this Writ Petition is disposed. No costs.

Sd/-

Assistant Registrar (CS-VII)

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//True Copy//

Sub Assistant Registrar

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To

1. The Collector of Chennai,
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Egmore, Chennai - 8.
6. The Executive Engineer,
Public Work Department,
Chepauk, Chennai-5.

+1cc to the Government Pleader SR.No.69916, 69920

+1cc to Mr.C.P.Sivamohan, Advocate SR.No.204 (18/02/2022)

W.P.No.31403 of 2017

RR(CO)
GN(25/01/2022)