



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.3037 OF 2022

V.Dhakshinamurthy

... Petitioner

-vs-

1. The Thasildar,
Maduravoyal Panchayat,
District Revenue Office,
Maduravoyal, Chennai.

2. The Head Surveyor,
Maduravoyal Panchayat,
District Revenue Office,
Maduravoyal, Chennai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to measure the property of the petitioner within the time frame as fixed by this Court.

For Petitioner : Mr.A.Murali

For Respondents : Mr.A.Anandan
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to measure the property of the petitioner.

2. The case of the petitioner is that the petitioner is the absolute owner of the land and building situated at Chennai District, Porur Village bearing Survey Nos.172/3 measuring an extent of 10,970.78 Sq.ft. The above said properties are the



ancestral properties of petitioner's father Late Mr.Vembuli Naicker and after his demise, the petitioner's elder brother Mr.Ekambaram has taken away his share and the remaining portion i.e., 2/3rd share of the properties are jointly enjoyed by petitioner and his 2nd elder brother Mr.V.Radhakrishnan. On 01.12.2006, petitioner and his 2nd elder brother had partitioned the property through a registered partition deed dated 22.02.2007, vide Document No.915/2007 before the Sub Registrar, Virugambakkam. Thereafter, the above said properties were allotted to the petitioner, who is in absolute possession and enjoyment of the above said property. Further, in order to ascertain the accuracy of the measurement and for obtaining Patta, the petitioner has applied for measurement of the above said lands, dated 10.12.2018, before the 1st and 2nd respondents. Thereafter, the 1st respondent also agreed to measure the entire properties and issued notice to the petitioner, dated 15.12.2018, vide No.F.L.No.166/18 and informed that the date for measuring the properties was fixed on 24.12.2018. As the said representation made by the petitioner has evoked no response, the petitioner has filed this Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 10.12.2018 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. Mr.A.Anandan, learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representations dated 10.12.2018 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

jd/nhs



To

1. The Thasildar,
Maduravoyal Panchayat,
District Revenue Office,
Maduravoyal, Chennai.

2. The Head Surveyor,
Maduravoyal Panchayat,
District Revenue Office,
Maduravoyal, Chennai.

+1cc to the Government Pleader, S.R.No.11513

W.P.No.3037 of 2022

GJ(CO)
RLP(11/03/2022)