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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.9355 OF 2022

S.Boopathy

... Petitioner

Vs

1. The District Collector,
Chengalpattu District, Collectorate,
Government Hospital Road,
VOC Nagar, Chengalpattu - 603 001.
2. The District Revenue Officer,
Chengalpattu District, Collectorate,
Office of the District Collector,
Government Hospital Road,
VOC Nagar, Chengalpattu - 603 001.
3. The Sub Collector,
Chengalpattu Revenue Division,
VOC Nagar, Chengalpattu - 603 001.
4. The Tasildar,
Tirukkazhukkundram Taluk,
Desumugipet,
Tirukkazhukkundram Town and Taluk,
Chengalpattu District - 603 109.
5. The Taluk Head Surveyor,
Tirukkazhukkundram Taluk,
Desumugipet,
Tirukkazhukkundram Town and Taluk,
Chengalpattu District - 603 109.
6. The Firka Surveyor,
P.V.Kalathur Firka,
Office of the Tirukkazhukkundram Taluk,
Desumugipet,
Tirukkazhukkundram Town and Taluk,
Chengalpattu District - 603 109.



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7. The Village Administrative Officer,
Thazhampedu/Kangeyankuppam Village,
Thazhampedu Village, Sogandi Post,
Tirukkazhukkundram Taluk,
Chengalpattu District - 603 109.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 4 to 7 to measure, survey and demarcate the petitioner property measuring about to an extent of 3 cents in S.No.15/9B situated at Kangeyankuppam Village, Tirukkazhukkundram Taluk, Chengalpattu District - 603 405 and grant such other further relief or reliefs as deem fit and proper to this Honourable Court under the circumstances of the case.

For Petitioner	:	Mr.R.Anandha Babu
For Respondents	:	Mr.R.P.Murugan Raja Government Advocate

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents 4 to 7 to measure, survey and demarcate the petitioner property measuring about to an extent of 3 cents in S.No.15/9B situated at Kangeyankuppam Village, Tirukkazhukkundram Taluk, Chengalpattu District - 603 405.

2. Mr.R.P.Murugan Raja, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal.

3. The case of the petitioner is that, the petitioner is the owner of the property comprised in old in S.No.15/9B, measuring an extent of 3 cents situated at Kangeyankuppam Village, Tirukkazhukkundram Taluk, Chengalpattu District - 603 405. The petitioner made a written representation dated 08.03.2021, to cancel the erroneous joint patta. Thereafter, the third respondent by an order dated 11.03.2021, directed the fourth respondent to conduct an enquiry and survey the subject property. However, till date no order has been passed on the same. Hence, this present petition is filed.



4. 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 4 to 7 to implement the order passed by the third respondent, dated 11.03.2021, for surveying the disputed property and cause survey of the same within a particular time frame fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents 4 to 7 to implement the order passed by the third respondent, dated 11.03.2021, to survey the property and after affording an opportunity of hearing to the petitioner and aggrieved parties, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Chengalpattu District, Collectorate,
Government Hospital Road,
VOC Nagar, Chengalpattu - 603 001.
2. The District Revenue Officer,
Chengalpattu District, Collectorate,
Office of the District Collector,
Government Hospital Road,
VOC Nagar, Chengalpattu - 603 001.
3. The Sub Collector,
Chengalpattu Revenue Division,
VOC Nagar, Chengalpattu - 603 001.



4. The Tasildar,
Tirukkazhukkundram Taluk,
Desumugipet, Tirukkazhukkundram Town and Taluk,
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5. The Taluk Head Surveyor,
Tirukkazhukkundram Taluk,
Desumugipet, Tirukkazhukkundram Town and Taluk,
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6. The Firka Surveyor,
P.V.Kalathur Firka, Office of the Tirukkazhukkundram Taluk,
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7. The Village Administrative Officer,
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Thazhampedu Village, Sogandi Post,
Tirukkazhukkundram Taluk,
Chengalpattu District - 603 109.

+2ccs to M/s.R.Anandha Babu, Advocate, S.R.No.25870

+1cc to the Government Pleader, S.R.No.26342

WP.No.9355 of 2022

PM(CO)
RLP(27/04/2022)