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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11273 of 2022

Karpagam

...Petitioner

Vs.

1. The Thasildhar,
Ayanavaram Taluk,
Chennai.
2. The Head Surveyor,
Ayanavaram Taluk,
Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 04.01.2021 and consequently direct the 1st respondent to pass an order based on the Survey report submitted by the 2nd respondent.

For Petitioner : Mr.G.Anbuchezeiyan

For Respondents : Mr.P.Sathish, AGP.

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 04.01.2021 and pass orders on the same based on the Survey report submitted by the 2nd respondent.

2.Learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.



3.The case of the petitioner is that, she purchased the property situated at land bearing No.65, Old Paimash No.754/2, Survey No.7/1 & 7/2 in Plot No.6, Kolathur Village, Perambur, Purasawakkam Taluk, Chennai, admeasuring land in 2747 sq.ft., from one V.Chandra, vide registered Deed of Sale dated 09.03.1988 in Document No.874/1988. Pursuant to the said purchase, the petitioner approached the 1st respondent, requesting to identify and measure the said property with the assistance of the 2nd respondent and she also made a representation dated 04.01.2021 before the 1st respondent to that effect. However, no orders have been passed on the same, despite sending several reminders. Aggrieved by the said inaction on the part of the respondents, the petitioner submitted a petition dated 30.07.2021 before the Revenue Divisional Officer, Chennai Central Sub-Division, Annanagar West Extension, Chennai-101, seeking for a direction to the respondents herein to consider the petitioner's representation dated 04.01.2021. Pursuant to the said petition, the RDO, Chennai Central, vide proceedings dated 15.09.2021 in Na.Ka.No.2195/2021/A2, directed the 1st respondent to consider the petitioner's representation, conduct enquiry and submit a report regarding the same. Thereafter, the 2nd respondent visited the petitioner's property, identified the property and submitted the report regarding the same before the 1st respondent, however, till date, no action has been initiated by the 1st respondent. Hence, this Writ petition.

4.Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 04.01.2021 in the light of the report submitted by the 2nd respondent and pass orders on the same as expeditiously as possible.

5.Learned Additional Government Pleader appearing on behalf of the respondents has no serious objection for said order being passed and he fairly conceded that the petitioner's representation dated 04.01.2021 will be considered and appropriate orders will be passed within the time frame that may be fixed by this Court.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 04.01.2021 in the light of the report submitted by the 2nd respondent and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

skt

To

1. The Thasildhar,
Ayanavaram Taluk,
Chennai.
2. The Head Surveyor,
Ayanavaram Taluk,
Chennai.

+1cc to the Government Pleader, S.R.No.32538

W.P.No.11273 of 2022

PL(CO)
RGA(17/06/2022)