



W.P.No.15999 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15999 of 2022

P.Mahendran

... Petitioner

Vs.

- 1.The District Collector,
Kancheepuram District.
- 2.The Assistant Director,
Department of Land Survey and Records,
Kancheepuram District.
- 3.The Managing Director,
Tamil Nadu Road Development Company,
No.171, 3rd Floor, Tamil Nadu Seaways Board Building,
South Kesavaperumal Puram,
Pasumpon Muthuramalinga Devar Street,
Raja Annamalaipuram,
Chennai - 600 028.
- 4.The Member Secretary,
Chennai Metropolitan Development Corporation,
No. 1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 5.The Thasildar (Land Acquisition),
Chennai Outer Ring Road Project,
Tamil Nadu Road Development Company,
Koyambedu, Chennai - 600 092.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to survey the lands in Plot No. 68 and 79 in S.No. 317/1, sub divided as 317/9, Varadharajapuram village, Kundrathur Taluk based on the petition dated 24.01.2022.

For Petitioner : Mr.S.C.Vishwanth

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking issuance of Writ of Mandamus, to direct the second respondent to survey the lands in Plot No. 68 and 79 in S.No. 317/1, sub divided as 317/9, Varadharajapuram village, Kundrathur Taluk based on his petition dated 24.01.2022.

2. Mr.G.Krishna Raja, learned Additional Government Pleader 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, this petition is taken up for final disposal.

3. The case of the Petitioner is that the petitioner had purchased the land in S.No.317/1 bearing Plot Nos.68 and 79 to an extent of 4800 sq.ft in



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Bhuvaneswari Nagar. Subsequently, the petitioner had made an application for sub-division and his land was sub divided as S.No.317/9. Later, he came to know that the respondents 3 to 5 herein had proposed for developing an outer ring road and for the same, some of the lands in S.No.371/1 and petitioner's neighbour lands were acquired. When he made an application under RTI, it was informed that the petitioner's land was not acquired. Subsequent to the development of road, the entire revenue records were modified. Hence, he made an application to the revenue officials, requesting to survey the lands as per the boundaries based on patta and earlier sale deed. The Tahsildar, Kundrathur had submitted a report, as the said land had been acquired for the formation of outer ring road. Aggrieved by the same, the petitioner had made an application dated 24.01.2022 to the first respondent to survey the land as per the sale deed, who in turn had forwarded the same to the second respondent. However, till date, there was no response from the respondents. Hence, this petition.

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 second respondent to consider the petitioner's application dated



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24.01.2022 and pass orders on the same within a particular time frame fixed by this Court.

5.The learned Additional Government Pleader appearing for the respondents 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 second respondent to consider the petitioner's application dated 24.01.2022 on merits and in accordance with law and survey and measure the property in terms of the Survey and Boundaries Act, 1923 and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs.

28.06.2022

Index : Yes/No
Internet : Yes/No
rsi



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To

WEB COPY

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M.DHANDAPANI, J.

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