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W.P.No.28072 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.10.2022

Coram

The Honourable Mr.Justice M.DHANDAPANI

W.P.No.28072 of 2022

V.Selvakumar

...Petitioner

Versus

1.The Taluk Surveyor,
Tambaram Taluk, Tambaram,
Chennai – 600 045.

2.The Tahsildar,
Tambaram Taluk, Tambaram,
Chennai – 600 045.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 29.09.2022 to survey and demark and issue FMB sketch in respect of property situated bearing Survey No.409/2B1B2, measuring to an extent of 1,957 sq.ft of land out of 6.8 cents or 3000 sq.ft in Plot No.3, Old Patta No.6257, New Patta No.12098, Perungalathur Village, Tambaram Taluk, Chengalpattu District.

For Petitioner : Mr.G.V.Sridharan

For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader



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ORDER

Mr.U.Bharanidharan, learned Additional Government Pleader takes notice for the respondents. With the consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. The relief sought in this writ petition is to direct the respondents to consider the petitioner's representation dated 29.09.2022 to survey and demark and issue FMB sketch in respect of his property situated bearing Survey No.409/2B1B2, measuring to an extent of 1,957 sq.ft of land out of 6.8 cents or 3000 sq.ft in Plot No.3, Old Patta No.6257, New Patta No.12098, Perungalathur Village, Tambaram Taluk, Chengalpattu District.

3. The case of the petitioner is that his wife Mrs.S.Rajalakshmi is the original owner of the property bearing Survey No.409/2B1B2 measuring to an extent of 1,957 Sq.ft of land out of 6.8 Cents or 3,000 Sq.ft in Plot No.3 situated at Perungalathur Village, Tambaram Taluk, Chengalpattu District within the registration District of South Chennai, Sub Registration District of Padappai. The said Rajalakshmi had settled the said property in favour of



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her husband/petitioner by way of executing a registered Settlement Deed Document No.6232 of 2015 dated 12.08.2015. After the execution of Settlement Deed, the petitioner has obtained Patta to the said property in his name and thereafter, he has been in absolute possession and enjoyment of the said property. While so, on 26.09.2021, he approached the second respondent and requested to survey his aforesaid property and issue FMB (Field Measurement Book) Sketch in respect of his property. However, the second respondent has not taken any steps to survey the petitioner's property. Hence, the aggrieved petitioner gave a representation dated 29.09.2022 to the respondents, seeking to survey his aforesaid property and issue FMB (Field Measurement Book) Sketch in respect of his property, but, the respondents have not yet considered his representation and passed orders on the same. Hence, left with no other alternative, the petitioner has knocked the doors of this Court with the present writ petition.

4. Heard the learned counsel on both sides and perused the materials placed before this Court.



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5. Considering the limited relief sought by the petitioner in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 29.09.2022 and pass appropriate orders, on merits and in accordance with law, within a period of six 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.

19.10.2022

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

Copy to

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Chennai – 600 045.

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Tambaram Taluk, Tambaram,
Chennai – 600 045.



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M.DHANDAPANI, J.

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