



W.P.No.31174 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.31174 of 2022
and W.M.P.No.30607 of 2022

1.K.Jayanthi

2.K.Ramani

3.K.Chithra

... Petitioners

Vs.

The Surveyor,
Pallavaram Taluk Office,
Chrompet,
Chennai – 600 044.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to dispose the representation dated 08.07.2022 within the time frame fixed by this Court.

For Petitioners : S.Thamizharasi

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



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ORDER

The petitioner has filed this petition for issuance of Writ of Mandamus directing the respondent to dispose the representation dated 08.07.2022 within the time frame fixed by this Court.

2. With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioners is that the petitioners are sisters and they are the owners of the Plots comprised in S.Nos.102/1A2 and 102/2B. The said plots were purchased by their mother K.Raniammal. Thereafter, petitioners' mother executed a settlement deed in favour petitioners by allotting the share equally and registered the same as Doc.No.2524 of 2011 dated 06.05.2011. In order to transfer the patta on their favour, the petitioners made an application before the Tahsildar, Pallavaram Taluk, for an total extent of 0.66 cents, however, the Tahsildar replied that out of 0.66 cents there was shortage for 0.13 cents and directed the petitioners to re-submit the petition to the available



extent. After local enquiry, the petitioners came to know that one M/s.Serene Estates Private Limited have purchased agricultural land in north, south and western side of petitioners schedule mentioned properties and they have encroached the aforesaid 0.13 cents by building compound walls. Therefore the petitioners made a representation dated 08.07.2022 before the respondent seeking for measuring the subject property and to put up boundary stone, however, till date, no order was passed. Hence, this writ petition.

4. Learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the respondent to consider the petitioners representation dated 08.07.2022 within a time frame that may be fixed by this Court.

5. Learned Additional Government Pleader appearing for the respondent submitted that the petitioners claims that one M/s.Serene Estates Private Limited have encroached the petitioners' land, however, filing this writ petition without impleading them as one of the respondents is not sustainable one. Accordingly, he prayed for dismissing the writ petition.



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6. Heard the learned counsel on either side and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, this Court, without going into the merits, directs the respondent to consider the petitioners representation dated 08.07.2022 after affording a reasonable opportunity of hearing to the petitioner as well as aggrieved persons if any, including M/s Serene Estates 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.

8. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order : Yes/No

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To:

The Surveyor,
Pallavaram Taluk Office,
Chrompet,
Chennai – 600 044.

M.DHANDAPANI,J.

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