



Writ Petition No.16125 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24/5/2023

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.16125 of 2023

A. Subaseeli ... Petitioner

Vs

1. The Tahsildar
Ambattur Taluk, Ambattur
Chennai 53.
2. The Head Surveyor
O/o. Tahsildar, Ambattur Taluk
Ambattur
Chennai 53.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first and second respondents to consider the representation dated 6/3/2023, 23/3/2023 and 9/5/2023 made by the petitioner to scale and survey the property for transfer of patta into the petitioner name for the landed property at S.No.471/1, 472/1, T.S.No.101/1 and 101/2, Ward H, Block No.54, Mogappair Village, Ambattur Taluk, Chennai District, measuring to the extent of 1102 sq.fts.



Writ Petition No.16125 of 2023

For petitioner ... Mr.S.Sundaravadanam

For respondents ... Mr.S.Prabhakaran
Government Advocate

ORDER

This Writ Petition has been filed to direct the first and second respondents to consider the representation dated 6/3/2023, 23/3/2023 and 9/5/2023 made by the petitioner to scale and survey the property for transfer of patta into the petitioner name for the landed property at S.No.471/1, 472/1, T.S.No.101/1 and 101/2, Ward H, Block No.54, Mogappair Village, Ambattur Taluk, Chennai District, measuring to the extent of 1102 sq.fts.

2. The case of the petitioner is that the petitioner had made representations on 6/3/2023, 23/3/2023 and 9/5/2023 to the respondents, to scale and survey the property to get patta for the landed property, situated at S.No.471/1, 472/1, T.S.No.101/1 and 101/2, Ward H, Block No.54, Mogappair Village, Ambattur Taluk, Chennai District, measuring to the extent of 1102 sq.fts. Since the same have not been considered so far, the petitioner has come forward with the present writ petition praying for the relief as stated therein.



Writ Petition No.16125 of 2023

WEB COPY

3. Heard Mr.T.Sundaravadanam, learned counsel for the petitioner.

4. Mr.S.Prabhakaran, learned Government Advocate takes notice for the respondents.

5. By consent, the main writ petition is taken up for final disposal.

6. Learned counsel appearing for the petitioner submitted that the adjacent land owner viz., G.Swaminathan, who owns 1000 sq.fts of landed property attempted to encroach the property which was suitably defended in the Civil Court in O.S.No.48 of 2011 on the file of the learned District Munsif, Ambatur and got succeeded. Based on the said decree, the petitioner has approached the authorities for scaling the property, by way of representations.

7. The learned Government Advocate submitted that based on the application of the petitioner, the revenue officials also visited the place to



Writ Petition No.16125 of 2023

measure the land, however, the neighbour of the petitioner has created a problem and a criminal complaint has been lodged.

8. Without going into the merits of the case, this Court is inclined to dispose of the writ petition, directing the respondents to measure the land in accordance with the Civil Court decree, within a period of eight weeks, from the date of receipt of a copy of this order. If the adjacent land owner is having any grievance, it is open to him to work out his remedy, before the appropriate Civil Court. No costs.

24/5/2023

Index: Yes/ No

Neutral Citation: Yes/No

mvs.



Writ Petition No.16125 of 2023

To

WEB COPY

1. The Tahsildar
Ambattur Taluk, Ambattur
Chennai 53.
2. The Head Surveyor
O/o. Tahsildar, Ambattur Taluk
Ambattur
Chennai 53.



WEB COPY



Writ Petition No.16125 of 2023

B.PUGALENDHI,J

mvs.

Writ Petition No.16125 of 2023

24/5/2023