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W.P.No.34894 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.34894 of 2022

1.M.Revathy
2.M.Jayanthi
3.M.Gopi

... Petitioners

Vs

1.The District Collector,
Office of the Collector,
Chennai – 600 001.

2.The Secretary,
Land Survey Department,
Secretariat,
St. George Fort, Chennai – 600 009.

3.The Commissioner,
A Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

4.The District Revenue Officer,
Office of the Collector,
Chennai – 600 001.

5.The Tahsildar,
Office of the Tahsildar,
Ayyanavaram,
Chennai – 600 023.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 5th respondent to measure the land and to issue the patta based on the petitioner representation letter dated 21.11.2022.

For Petitioners : Mr.B.Chandran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader
for R1, R2, R4 & R5

: Ms.P.T.Ramadevi
Standing Counsel for R3

ORDER

The prayer sought for herein is for a Writ of Mandamus to direct the 5th respondent to measure the land and to issue the patta based on the petitioner representation letter dated 21.11.2022.

2. In respect of house property at Survey No.24/13 at Ayanavaram, Chennai it was originally belonged to the petitioners' father P.K.Madhanagopal who during his lifetime settled the property in favour of the petitioners who are the legal heirs and after the demise of the petitioners' father, they wanted the patta to be transferred in the name of the petitioners which had been considered and granted by the revenue authorities.



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3. However, it is the grievance of the petitioners that though the land consisting of 2400 sq.ft. only for 1960 sq.ft. the patta has been given, for the remaining 440 sq.ft. patta has not been given, therefore in order to measure the entire land and to identify the remaining 440 sq.ft. for issuance of patta, the petitioners had given representation to the respondents on 21.11.2022 and in order to consider the said representation, the petitioners have moved the present writ petition.

4. Heard Mr.B.Chandran, learned counsel appearing for the petitioners, Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for respondents 1, 2, 4 and 5 and Ms.P.T.Ramadevi, learned Standing Counsel appearing for the 3rd respondent.

5. The learned Special Government Pleader for the respondents would submit that, since it was only a representation given by the petitioners and no online application has been made by making the necessary fee for surveying the land as claimed by the petitioners, the learned Special Government Pleader would submit that, if they come forward to make an online application by paying the necessary fee, that would be considered and



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the needful would be undertaken by the revenue Tahsildar who is the 5th respondent in this writ petition.

6. Considering the said submission made by the learned Special Government Pleader for the respondents and having regard to the aforestated factual matrix, this Court is inclined to dispose of this writ petition with the following order:

It is open to the petitioners to make an online application to the 5th respondent along with necessary fee with a request to survey the house property of the petitioners and on receipt of such application with necessary fee, the 5th respondent shall do the needful on the said application by measuring the land and identify the remaining area of the property as claimed by the petitioners and accordingly complete the same within a period of eight weeks thereafter.

7. With this direction, this Writ Petition is disposed of. No costs.

03.01.2023

Index : Yes/No
Speaking Order : Yes/No
Sgl



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To

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R.SURESH KUMAR, J.

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