



W.P.No. 4925 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 4925 of 2024

and

W.M.P.No.5400 of 2024

G.Prabakaran

... Petitioner

versus

1.The Executive Officer,
Arulmigu Iraveeshwarar Thirukoil,
(Under HR & CE),
No.56, Moorthingar Street,
Vyasarpadi, Chennai – 600 039.

2.The Thasildhar,
Perambur Taluk,
Chennai – 600 011.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to conduct the survey of the property bearing Door No.53, Chinna Thambi Street, Vyasarpadi, Chennai – 600 039, comprised in R.S.No.562/4, Perambur Division, Perambur Taluk, land extent measuring about 1 ground and 614 sq.ft (excluding the 143 sq.ft acquired for road) on the basis of FMB sketch

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pertaining to R.S.No.562, Vyasarpadi Village, Perambur Division, Perambur Taluk and by taking into consideration both the ends of Chinna Thambi Street, on the petitioner's representation dated 02.02.2024 sent to the respondents vide registered post and received by them on 05.02.2024 and direct the first respondent to co-operate with such survey.

For Petitioner : Mr.S.Anil Sandeep

For Respondents : Mr.S.Ravichandran
Additional Government Pleader (HR & CE)
for R1

Mr.T.Arun Kumar
Additional Government Pleader for R2

ORDER

Mr.S.Ravichandran, learned Additional Government Pleader (HR & CE) accepts notice for the first respondent and Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the second respondent. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the second respondent to conduct survey of the



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property bearing Door No.53, Chinna Thambi Street, Vyasarpadi, Chennai – 600 039, comprised in R.S.No.562/4, Perambur Division, Perambur Taluk, measuring an extent of 1 ground and 614 sq.ft (excluding the 143 sq.ft acquired for road) on the basis of FMB sketch pertaining to R.S.No.562, Vyasarpadi Village, Perambur Division, Perambur Taluk and by taking into consideration both the ends of Chinna Thambi Street, by considering the representation of the petitioner dated 02.02.2024, which was received and acknowledged by the respondents on 05.02.2024, and consequently direct the first respondent to co-operate with such survey.

3. The main grievance of the petitioner is that even though he has given a representation on 02.02.2024, till date the second respondent has not taken any action on the said application.

4. Heard both sides.

5. Since this Writ Petition is only for a mandamus simpliciter to consider the representation of the petitioner, this Court, without expressing



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any view or opinion with regard to the merits of the case, directs the second respondent to consider the representation of the petitioner dated 02.02.2024 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, first respondent herein as well as rival claimants/interested parties/objectors/adjacent owners of four boundaries of the subject property/aggrieved parties if any, as the case may be. Such exercise shall be completed within the stipulated time as stated in Circular No.R1/2005632/2022, dated 17.07.2023 issued by the Commissioner of Land Administration.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

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To

- 1.The Executive Officer,
Arulmigu Iraveeshwarar Thirukoil,
(Under HR & CE),
No.56, Moorthingar Street,
Vyasarpadi, Chennai – 600 039.
- 2.The Thasildhar,
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P.VELMURUGAN, J.

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