



WEB COPY



WP.No.21550 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.21550 of 2024

Devasena

.. Petitioner

Versus

1. The District Collector
Chennai

2.The District Revenue Officer
Kancheepuram District

3.The Revenue Divisional Officer
Chennai

4.The Tahsildar
Tahsildar Officer
Sholinganallur Taluk, Chennai – 600 119

5.The Village Administrative Officer
Pallikaranai
Chennai – 600 100

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to survey the petitioner's land measuring 1357 sq.ft situated in Survey No.620/2, Shanthi Nagar Extension, Pallikaranai, Chennai-600 100 in document No.1080/1994 dated 31.03.1994, Document No.10156/2011 dated 28.11.2011 and declaration deed vide document No.258 of 2023 dated 21.06.2023 on the file of Joint Sub Registrar-1, Madras South and issue patta as per the measurement in the Sale deed FMB declaration deed based on the representation dated 02.02.2024 and acknowledgement thereon.



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For Petitioner : M/s.Thilagavathi G.S.

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition is filed directing the 2nd respondent to survey the petitioner's land measuring 1357 sq.ft situated in Survey No.620/2, Shanthi Nagar Extension, Pallikaranai, Chennai-600 100 in document No.1080/1994 dated 31.03.1994, Document No.10156/2011 dated 28.11.2011 and declaration deed vide document No.258 of 2023 dated 21.06.2023 on the file of Joint Sub Registrar-1, Madras South and issue patta as per the measurement in the Sale deed FMB declaration deed based on the representation dated 02.02.2024 and acknowledgement thereon.

2. By consent of both parties, this writ petition is taken up for final disposal.

3. Heard both sides and perused the materials placed on record.

4.The petitioner has submitted a representation on 02.02.2024 seeking for surveying the petitioner's property, which is pending without consideration till date. Hence, seeks for a direction.



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5. On perusal of the affidavit itself would indicate that there is already a civil suit pending in O.S.No.1069 of 2013 on the file of Principal District Munsif Court, Alandar. When the matter is already seized by the Civil Court, there cannot be any parallel survey by the revenue authorities. Any survey, if done, only by the Orders of the Civil Court so that it will reach finality.

6. Accordingly, this writ petition stands dismissed. Let the petitioner work out the remedy by filing appropriate application in the pending suit for survey. If such application is filed, the Trial Court shall pass appropriate orders for surveying the land.

02.08.2024

dhk

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To

1. The District Collector
Chennai

2.The District Revenue Officer
Kancheepuram District

3.The Revenue Divisional Officer
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4.The Tahsildar
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5.The Village Administrative Officer
Pallikaranai
Chennai – 600 100

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