



W.P.No.32727 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

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W.M.P.Nos. 35563 & 35565 of 2024

M/s.Paterson Cancer Center Private Limited,
Rep. by its Managing Director Dr.S.Vijayaraghavan
Registered Office at No.175, N.S.K.Salai,
Vadapalani,
Chennai – 600 026.

...Petitioner

Vs.

1.The District Collector
Chennai District,
Chennai
Tamil Nadu

2.The Tahsildar
Maduravoyal Taluk
Chennai District
Tamil Nadu

3.The Inspector of Survey
Maduravoyal Taluk
Chennai District



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Tamil Nadu.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus to direct the respondents to survey the schedule property as per the FMB sketch issued by the 2nd respondent Tahsildar, within a time period stipulated by this Court together with Advocate Commissioner to be appointed by this Court along with Police Assistance.

For Petitioner : Mr. B.Natarajan

For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

Challenging the refusal to survey the suit property, the petitioner is before this Court.

2. The petitioner purchased the suit property vide sale deed dated 28.03.2012, registered as document No.1861 of 2012 on the file of the SRO, Virugambakkam. The petitioner also obtained patta in



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Patta No.5804. Thereafter, disputes have arisen between the petitioner and the adjacent land owners with respect to the boundaries of the property. Therefore, the petitioner has made a request to survey the property in the office of the Deputy Tahsildar, Ambattur Taluk, Tiruvallur District, Tamil Nadu.

3. However, the Area Association President who has political clout had stopped the Revenue Officials to survey the property of the petitioner. The petitioner would submit that he has duly paid the fee for the survey of the property with the respondents. However, the survey has not been conducted. Therefore, the petitioner is before this Court.

4. Heard the learned counsels on the either side and perused the records.

5. Considering the facts and circumstances of the case,



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mandamus is issued to the respondents to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is allowed. Consequently, the connected miscellaneous petitions are closed. No costs.

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Index : Yes/No
Internet : Yes/No
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P.T. ASHA, J,

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