



WEB COPY



WP.No.33859 of 2024

In the High Court of Judicature at Madras

Dated : 20.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.33859 of 2024

K.Sangaralingam

...Petitioner

Vs

The Tahsildar, Thirukalukundram
Taluk Office, Chengalpattu
District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent herein to consider the petitioner's online application dated 07.8.2018 in application No.2018/0105/03/153163 seeking to survey the property in old Survey No.230/17, new Survey No.230/17C comprised in patta No.57 as per the sale deed dated 09.1.1986 in Doc.No.27 of 1986 on the file of the Sub-Registrar, Thirukazhukundram.

For Petitioner : Mr.G.Mageshkumar
For Respondent : Mr.G.Velu, AGP

ORDER

Seeking a Mandamus to the respondent to consider his online application dated 07.8.2018 for surveying the property admeasuring



WP.No.33859 of 2024

27 cents in old Survey No.230/17, new Survey No.230/17C comprised in patta No.57, Aminjikai Village, Thirukazhukundram Taluk, Chengalpattu District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondent.

3. The petitioner would contend that he purchased the said property under a registered sale deed dated 09.1.1986 vide doc.No.27 of 1986 on the file of the Sub-Registrar, Thirukazhukundram. However, in the patta, the extent has been wrongly mentioned as 5 ares. For the purpose of making corrections in the extent of the said property, the petitioner made the aforesaid application on 07.8.2018 for surveying the property. Despite the fact that the application was received even on the same date, the respondent has not taken any steps to survey the land.

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner owns the property and the extent of the said property has been wrongly mentioned as 5 ares in the patta, he requested the respondent to survey the land and issue a fresh patta



WP.No.33859 of 2024

with the actual extent of the said property. However, it did not evoke any response. The respondent has caused an inordinate delay in conducting the survey.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the respondent to consider the online application of the petitioner dated 07.8.2018, conduct survey of the said property and issue a fresh patta with the actual extent. The petitioner shall submit all the relevant records before the respondent to show his title to the said property and the respondent 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 four weeks from the date of receipt of a copy of this order. No costs.

20.11.2024

To
The Tahsildar, Thirukalukundram
Taluk Office, Chengalpattu
District.



WEB COPY



WP.No.33859 of 2024

P.T.ASHA,J

RS

WP.No.33859 of 2024

20.11.2024