



W.P.No.34835 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34835 of 2024

&

W.M.P.No.37773 of 2024

M/s.Sekar Emporium (Textiles) Private Limited
Rep by its Managing Director, Mr.C.Murugan son of late
S.Chandrasekaran, having its registered office,
Nos.22, Arcot Road, Kodambakkam,
Chennai 600 024.

...Petitioner

Vs.

- 1.The District Collector
Chennai District.
- 2.Revenue Divisional Officer
Chennai Central, Chennai.
- 3.The Tahsildar
Egmore Taluk, Chennai 600078.
- 4.The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Egmore,
Chennai 600 008.



W.P.No.34835 of 2024

5. Government of Tamil Nadu

Rep by Additional Secretary, Housing and Urban Development

Department,

Secretariat,

Chennai 600 009.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the respondents 2 and 3 herein to survey the land and issue corrected patta and FMB sketch as per site in respect of the property bearing door No.22, Arcot Road, Kodambakkam, Chennai 600024 comprised in T.S.No.2 part, Block No 32, Nos 21, 25, 28 in No.109 Puliur Village, Egmore-Nungambakkam Taluk measuring an extent of 6568 sq.feet pursuant to the application of the petitioner dated 10.01.2024.

For Petitioner : Mr. N.Ganesh Kumar

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



W.P.No.34835 of 2024

WEB COPY

ORDER

The above Writ Petition has been filed seeking mandamus to the respondents 2 and 3 to survey the land and issue corrected patta and FMB sketch as per site in respect of the property bearing door No.22, Arcot Road, Kodambakkam, Chennai 600024 comprised in T.S.No.2 part, Block No 32, Nos 21, 25, 28 in No.109 Puliyur Village, Egmore-Nungambakkam Taluk measuring an extent of 6568 sq.feet pursuant to the application of the petitioner dated 10.01.2024.

2. It is the case of the petitioner that the petitioner company is the absolute owner of the subject property, bearing Door No.22, Arcot Road, Kodambakkam, Chennai 600024. Since there was a discrepancies in patta and FMB sketch, the petitioner made a representation to the 2nd respondent on 10.01.2024, for issue of corrected patta and FMB sketch. By letter dated 14.02.2024, the 2nd respondent directed the 3rd respondent to conduct an enquiry and send a detailed report. Thereafter, the petitioner submitted necessary



documents and charges for survey of the land to the 3rd respondent.

However, the petitioner was not called upon by the 3rd respondent for an enquiry. Therefore, the petitioner is before this Court.

3. It is informed that one Uma Ganesan has made a petition dated 03.10.2024, before the 5th respondent and the petitioner was asked to appear before him and produce all the relevant documents. One of the documents which is sought for is patta which can be given only after the procedure now sought for is completed.

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

5. Considering the facts and circumstances of the case, the respondents 2 and 3 are directed to conduct survey of the subject property. The petitioner shall submit all the relevant records to show his title to the property and the respondents 2 and 3 shall, after issuing notice to the adjacent land owners and interested parties, hold an



W.P.No.34835 of 2024

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 said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

6. It is made clear that till the disposal of the petitioner's representation by the respondents 2 and 3, no action shall be taken by the 5th respondent, with regard to the petition filed by one Uma Ganesan dated 03.10.2024.

7. The Writ Petition is allowed. No costs.

26.11.2024

Index : Yes/No
Internet : Yes/No
kan



W.P.No.34835 of 2027

WEB COPY

To

1.The District Collector
Chennai District.

2.Revenue Divisional Officer
Chennai Central, Chennai.

3.The Tahsildar
Egmore Taluk, Chennai 600078.

4.The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Egmore,
Chennai 600 008.

5.Government of Tamil Nadu
Rep by Additional Secretary, Housing and Urban Development
Department,
Secretariat,
Chennai 600 009.



WEB COPY



W.P.No.34835 of 2024

P.T. ASHA, J,

kan

W.P.No. 34835 of 2024

26.11.2024