



W.P.No.660 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.660 of 2024
and
W.M.P.No.688 of 2024

1. Kalyani

2. H.Tamilselvi

... Petitioners

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Sriperumbudhur Taluk,
Kancheepuram.
4. The Village Administrative Officer,
Agasipalli No.2, Agasipalli Village,
Kancheepuram.



W.P.No.660 of 2024

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5. The Superintendent of Police,
Land Grabbing Special Team,
Kancheepuram.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to accept the fee for measuring the land subsequently to survey and demarcate the petitioner's land to an extent of 7314 Sq.ft comprised in S.No.149/1, situated at Old No.157, New No.40, Ponthur village, Sriperumbudur Taluk, Kancheepuram District as per settlement deed No.5023 dated 11.04.2008 and FMB sketch available with the respondents based on the representation dated 11.11.2019 and 22.09.2023.

For Petitioners : Mr.M.Naveen

For R1 to R4 : Mr.T.Arunkumar
Additional Government Pleader

R5 : Dismissed against R5 vide order dated
11.01.2024.



W.P.No.660 of 2024

WEB COPY

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the third respondent to accept the fee for measuring the land and subsequently to survey and demarcate the petitioners' land to an extent of 7314 Sq.ft comprised in S.No.149/1, situated at Old No.157, New No.40, Ponthur village, Sriperumbudur Taluk, Kancheepuram District as per settlement deed No.5023 dated 11.04.2008 and FMB sketch available with the respondents based on the representations dated 11.11.2019 and 22.09.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3.The respondents have filed the counter stating that now the subject property stands in the name of one Samanthi and she purchased the property under the registered sale deed dated 04.07.2012. Therefore, as per the sale deed, the pattas have been issued in the name of one



W.P.No.660 of 2024

Samanthi and one Sasikala. On the date of filing the representation, the petitioners are not the owners of the property. Therefore the respondents are unable to measure the property based on the request made by the petitioners. On the date of filing application ie., on the date of representation dated 11.01.2019 and subsequent representation dated 22.09.2023, the patta not stands in the name of the petitioners.

4. In view of the above, the Writ Petition is dismissed. However, the petitioners are at liberty to work out their remedy before the Civil Court in the manner known to law. There shall be no order as to costs. Consequently, connected miscellaneous petition in W.M.P.No.688 of 2024 is ordered on payment of separate court fees by each of the petitioners.

14.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



WEB COPY



W.P.No.660 of 2024

To

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W.P.No.660 of 2024

P.VELMURUGAN, J.

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W.P.No.660 of 2024
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14.02.2024