



W.P.No.3460 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3460 of 2025

S.Kamala

... Petitioner

Vs.

1.The Tahsildar
Avadi Taluk
Thiruvallur District

2.The Head Surveyor
Avadi Taluk
Tiruvallur District

3.The Firka Surveyor
Thirumullaivoyal Village
Avadi Taluk
Thiruvallur District

4.Valli @ Valliammal

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to survey, fix four boundaries and erect boundary stones for the land admeasuring about the vacant land comprised in S.F.No.25/12, Old Survey No.163/1, admeasuring



W.P.No.3460 of 2025

48.5 cents and situated in No.16, Tirumullaivoyil village, Ambattur Taluk,

WEB COPY

Tiruvallur District by considering the petitioner's application dated 17.01.2025.

For Petitioner : Mr.Gowwtham Thelak VB
For Respondents : Mr.S.Jayachandran (for R1 to R3)
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 to 3 to survey the property and measure the same and to fix the boundaries with respect to the subject property.

2. Heard Mr.Gowwtham Thelak VB, learned counsel for the petitioner and Mr.S.Jayachandran, learned Government Advocate for Respondents 1 to 3.

3. The petitioner is claiming title over the subject property through a registered sale deed dated 23.04.2007. The 4th respondent is the adjacent land owner, who claims title over that property by virtue of a registered sale deed dated 22.09.2008. Earlier, the 4th respondent approached this Court and filed WP No.11272 of 2016 seeking for a direction to the Tahsildar to conduct a survey and to issue patta in her favour. The writ petition was disposed of by an



W.P.No.3460 of 2025

order dated 28.03.2016 directing the Tahsildar to conduct an enquiry.

WEB COPY

4. The Tahsildar through proceedings dated 22.03.2017 rejected the application given by the 4th respondent by stating that the patta for the property already stands in the name of the petitioner and therefore, the Tahsildar does not have any power to cancel the patta and that power is vested only with the Revenue Divisional Officer. It is stated that this order has become final and it has not been put to challenge.

5. It is also seen from records that Town Survey Land Records (TSLR) stands in the name of the petitioner.

6. The petitioner wanted a survey to be conducted in the property to measure the same and fix boundaries. Accordingly, an application was submitted by the petitioner on 20.11.2024. Since the same was not acted upon, a representation dated 17.01.2025 was made by the petitioner. The said representation also did not evoke any response. Left with no other alternative, the present writ petition has been filed before this Court.



W.P.No.3460 of 2025

WEB COPY

7. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court and taking note of the fact that the application submitted by the petitioner is pending from 20.11.2024 and the petitioner has already paid the necessary charges for conducting the survey, there shall be a direction to the 1st respondent to act upon the application dated 20.11.2024 and to conduct the survey with respect to the subject property strictly in line with the sale deed dated 23.04.2007 and the TSLR that stands in the name of the petitioner. If the 4th respondent objects, the survey shall be conducted in the presence of the 4th respondent. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above directions. No costs.

07.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

rka



W.P.No.3460 of 2025

WEB COPY

To

1.The Tahsildar

Avadi Taluk

Thiruvallur District

2.The Head Surveyor

Avadi Taluk

Tiruvallur District

3.The Firka Surveyor

Thirumullaivoyal Village

Avadi Taluk

Thiruvallur District



WEB COPY



W.P.No.3460 of 2025

N. ANAND VENKATESH.J,

rka

W.P.No.3460 of 2025

Dated: 07.02.2025