



W.P.No.22890 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22890 of 2018

R.Adhilakshmiammal

..... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Kancheepuram.

2. The Tahsildar,
Sriperumbudur Taluk,
Office of the Tahsildar,
Sriperumbudur,
Kancheepuram District.

3. The Deputy Tahsildar,
Sriperumbudur Taluk,
Office of the Tahsildar,
Sriperumbudur,
Kancheepuram District.

4. The Revenue Inspector,
Kancheepuram District,
Kancheepuram.

5. The District Deputy Director,
Office of the District Land Survey Department,
Kancheepuram District.



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6. The Taluk Head Surveyor,
Taluk Office,
Sriperumbudur,
Kancheepuram District.

..... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the proceedings in Na.Ka.645/2017/A1 dated 21.05.2018 and singed on 30.06.2018 on the file of the 3rd respondent and to quash the same as illegal and without jurisdiction and to direct the respondents to survey and measure the lands at Old Survey No.106/9, New Survey No.333/8 in Kandamangalam Village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.Gowtham Thilak
for Mr.Govind Chandrasekhar
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 21.05.2018 passed by the third respondent, thereby rejected the request made by the petitioner to survey the subject land comprised in Old Survey No.106/9, New Survey No.333/8 situated at Kandamangalam Village, Sriperumbudur Taluk, Kancheepuram District.

2. Heard the learned counsel appearing on either side and



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perused the materials available on record.

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3. The land comprised in Old Survey No.106/9, New Survey No.333/8 situated at Kandamangalam Village, Sriperumbadur Taluk, Kanchipuram District, was purchased by the petitioner by a registered sale deed dated 14.09.1998. Thereafter, there was some disturbance caused by the private parties, who filed a suit in O.S.No.2 of 2007 seeking an injunction, which was decreed on 08.03.2007. Since the petitioner is in possession and enjoyment of the property, he filed an application to survey his property. However, the request of the petitioner was rejected by the third respondent on the ground that the entire land is classified as Sarkar Poromboke Grama Natham and therefore, it does not belong to the petitioner.

4. The learned counsel appearing for the petitioner submitted that in the said survey number, the petitioner had constructed a house and had also obtained an electricity service connection and produced the electricity bill.

5. A perusal of the counter and the submissions made by

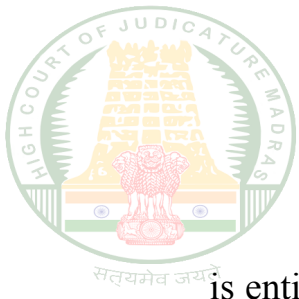


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the learned Additional Government Pleader reveals that the subject land is classified as Natham. Further, the land comprised in survey No.333/6 to an extent of 0.225 sq.mts, survey No.333/7 to an extent of 0.063 sq.mts and survey No.333/8 to an extent of 0.515 sq.mt in old survey number 106/9, is classified as poramboke and vested with the Government. Further, on enquiry and field inspection, it was noticed that the petitioner is an encroacher on a small portion of survey No.333/8 and has constructed a terraced building without any valid patta. The petitioner had filed a suit in O.S.No.2 of 2007 on the file of the District Munsif Court, Kanchipuram, as against private persons. Since the entire land is classified as poramboke and vested with the Government, the petitioner is only an encroacher. Therefore, the request made by the petitioner was rejected by the third respondent to survey the land.

6. Further, the petitioner is not entitled to claim ownership over the the portion of the subject land beyond which she occupied in the subject land. Though it is classified as Natham, even according to the respondent, the petitioner has constructed only a small terraced house and also obtained an electricity service connection. Therefore, the petitioner



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is entitled only to the portion of the land actually occupied by her and on which the house has been constructed.

7. In view of the above, the third respondent is directed to engage a surveyor to survey only the portion of the land occupied by the petitioner for residential purpose and to prepare the survey report on payment of necessary costs. The petitioner cannot seek survey of the remaining land comprised in Old Survey No.106/9, New Survey No.333/8 situated at Kandamangalam Village, Sriperumbadur Taluk, Kanchipuram District, which is classified as Natham/Government poramboke.

8. Accordingly, this Writ petition stands disposed of. No costs.

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To



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G.K.ILANTHIRAIYAN, J.



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