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W.P.No.23719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.07.2025

Coram:
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23719 of 2025

R.Dhairya Gehlot

...Petitioner

Versus

1.The Tahsildar,
Walajabad Taluk,
Kancheepuram District.

2.The Assistant Director,
Land Survey Records,
District Land Survey Department,
Kancheepuram.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus to direct the 1st and 2nd Respondents to survey, sub divide, issuing of separate patta and marking of boundary stones of the land belonging to the Petitioner in Kanchipuram District, Walajabad Sub D., Walajabad Taluk, No.174, Palaiyaseevaram Village, Patta No.1563, bearing Survey No.499/2B2 in SMA Garden of VIP City in this extent Vacant Plot Nos.22, 23, 24, 25 and 26 having an total area of 5040 Sq.ft based on the Petitioner's application vide Challan No.2022/0105/03/385744 dated 04.11.2022.

For Petitioner : Mr.P.Sarveswaran

For Respondents : Mr.S.Balamurugan,
Government Advocate



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ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to direct the Respondents 1 & 2 to survey, sub divide, issue separate patta and place boundary stones in the land belonging to the Petitioner situated at Kanchipuram District, Walajabad Sub D., Walajabad Taluk, No.174, Palaiyaseevaram Village, Patta No.1563, bearing Survey No.499/2B2 in SMA Garden of VIP City Vacant Plot Nos.22, 23, 24, 25 and 26 having a total area of 5,040 Sq.ft based on the Petitioner's application vide Challan No.2022/0105/03/385744 dated 04.11.2022.

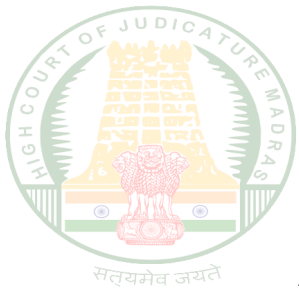
3. Mr.P.Sarveswaran, learned counsel for the petitioner submitted that one Mrs.Papaapiyammal sold the Vacant Plot Nos.22, 23, 24, 25 and 26 measuring an extent of 5,040 Sq.ft comprised in Survey No.499/2B2 in SMA Garden of VIP City situated at Kanchipuram District, Walajabad Sub D., Walajabad Taluk, No.174, Palaiyaseevaram Village bearing Patta



No.1563, to the petitioner through her Power of Attorney viz., Mr.K.Rajesh Kumar by virtue of a Sale Deed which was registered as Document No.2670 of 2020 dated 21.08.2020 on the file of Sub Registrar Office, Walajabad. After purchasing the said property, the petitioner has been in absolute possession and enjoyment of the same.

3.1. It is further submitted by the learned counsel for the petitioner that the petitioner made an Application dated 04.11.2022 to the 2nd Respondent, seeking to survey, sub-divide, issue separate patta and mark the boundaries of the subject property and the petitioner also paid the necessary fees for the same. However, the Respondents have not yet considered the petitioner's application. Hence, the petitioner has filed this writ petition.

4. Mr.S.Balamurugan, learned Government Advocate appearing for the respondents submitted that the respondents would consider the petitioner's Application dated 04.11.2022 and they would survey, sub-divide, issue separate patta and mark the boundaries of the subject property, within a time frame to be fixed by this Court.



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5. The above submission made by the learned Government Advocate for the respondents has been fairly conceded by the learned counsel for the petitioner.

6. In view thereof, this Writ Petition stands disposed of with the direction to the respondents to consider the petitioner's Application dated 04.11.2022 and carry out survey, sub-divide and earmark the boundaries of the subject property and issue Patta for the subject property in the name of petitioner, after giving prior notice to the petitioner, adjacent land owners and other interested parties including rival claimants if any, within a period of 8 weeks from the date of uploading of the web copy of this order without waiting for the receipt of a certified copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the case and it is open to the concerned respondents to consider the matter on its own merits and in accordance with law. No costs.

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Index : Yes/No

Speaking Order (or) Non-Speaking Order



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MOHAMMED SHAFFIQ, J.

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