



W.P.No.35282 of 2019

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.35282 of 2019

T.Vasudevan

... Petitioner

Vs.

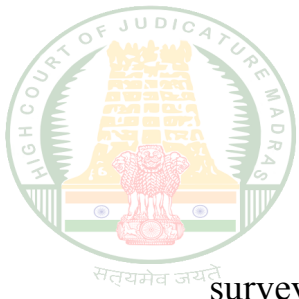
1.The Tahsildar,
Sholinganallur Taluk,
Taluk Office, Sholinganallur,
Chennai-600 119.

2.The Land Surveyor,
Survey and Land Records,
Sholinganallur Taluk,
Taluk Office, Sholinganallur,
Chennai-600 119.

3.N.Ravi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the respondents 1 and 2 to dispose of the representation submitted by the petitioner dated 12.12.2019, giving an opportunity to the petitioner to participate in the



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survey of the properties comprised in Survey No.659/3 to an extent of 13 cents and in another Survey No.674 to an extent of 4 ½ cents situated at No.138, Sholinganallur Village, previously Tambaram Taluk and presently Sholinganallure Taluk, within the limits of Saint Thomas Mount Panchayat Union, Sholinganallure Firka, Taluk, within a stipulated time fixed by this Court.

For Petitioner : Ms.S.Murugeswari

For Respondents : Mr.A.Selvendran
Spl. Govt. Pleader for R1 and R2
Mr.Vishal
for Mr.S.Anburaja for R3

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents 1 & 2 to dispose of petitioner's representation dated 12.12.2019 by giving an opportunity of hearing to him to participate in the survey of the property comprised in Survey No.659/3 measuring an extent of 13 cents and Survey No.674 measuring an extent of 4 ½ cents situated at No.138, Sholinganallur Village, Sholinganallure Taluk.



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2. It is submitted by learned counsel for petitioner that petitioner submitted a representation on 12.12.2019 to respondents 1 & 2 seeking an opportunity of hearing to participate in the survey in respect of the subject property. However, the same was not considered by respondents 1 & 2 till date. Hence, the present writ petition has been filed before this Court.

3. At the outset, it is submitted by Mr.A.Selvendran, learned Special Government Pleader appearing for respondents 1 & 2 that they would consider petitioner's representation and survey petitioner's land by giving an opportunity of hearing to petitioner and any other interested parties, if any, within a time frame to be fixed by this Court, which was agreed to by learned counsel for petitioner.

4. It is further submitted by Mr.Vishal, learned counsel for third respondent that before proceeding with survey, he may be permitted to submit his objections, if any.



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5. In view of the limited relief that is prayed, this Court is inclined to dispose of the writ petition with following directions:

i) The respondents 1 & 2 shall consider petitioner's representation dated 12.12.2019 in accordance with law and conduct survey, after issuing notice to petitioner, third respondent, adjacent land owners and all other interested parties including rival claimants, if any.

ii) Though facts have been set out extensively in the affidavit, this Court does not propose to deal with it, while leaving it open to the concerned respondent to call for any document/conduct enquiry, to satisfy itself of petitioner's entitlement for requesting survey of subject property.

iii) It is open to third respondent to submit his objections, if any, a copy of the same shall be furnished to petitioner and any other interested parties and the concerned authority shall conduct enquiry and pass appropriate orders after affording reasonable opportunity of hearing to all parties.

iv) The entire exercise shall be completed within a period of eight



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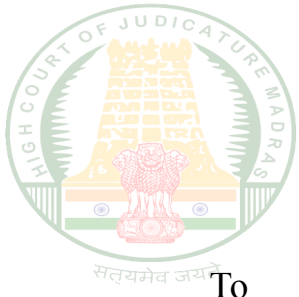
v) It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of petitioner and all other interested parties are left open.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

16.07.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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