



WEB COPY



W.P.No.38409 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.38409 of 2024

S.Gokulakrishnan

...Petitioner

Vs

1.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.

2.The Inspector of Police,
E5, Sholavaram Police Station (L & O),
Avadi City Police,
Redhills,
Tiruvallur District

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to survey the land in Survey No.9/1A1 & 1A2, measuring 10 cents together with 8 feet pathway (38 feet length/384 sq.,ft) situated at Siruniam Village, Ponneri Taluk, Tiruvallur District and issue a report within a stipulated time and consequently directing the 2nd respondent to provide adequate police protection for conducting survey.



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For Petitioner : Mr.N.Naganathan
For Respondents : Mr.G.Velu
Additional Government Pleader

ORDER

The present Writ Petition has been filed seeking direction to respondents to survey the petition mentioned property.

2.The petitioner's contention is that the property measuring an extent of 31 cents, comprised in S.No.9/1, situated at Siruniam Village, Ponneri Taluk, Tiruvallur District, was belonged to petitioner's grandfather namely C.Seethapathi Naidu. The petitioner's grandfather had settled the said property in favour of his mother Tharani. She in turn had settled the property in favour of the petitioner by way of two settlement deeds dated 18.01.2017 and 23.07.2017, registered as document Nos.134 of 2017 and 2898 of 2017 on the file of the SRO, Redhills. Subsequently, petitioner had obtained a patta No.749 for the said property. Thereafter, petitioner made an applications dated 05.10.2020 and 27.02.2023 to the first respondents to survey the said property and he had paid the necessary charges. However, the survey has not been conducted to date. Therefore, the petitioner is before this Court.



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3. Heard the learned counsels on the either side and perused the records. The learned Additional Government Pleader takes notice on behalf of respondent.

4. Considering the facts and circumstances of the case, mandamus is issued to the respondents to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

02.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J,

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To

- 1.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.
- 2.The Inspector of Police,
E5, Sholavaram Police Station (L & O),
Avadi City Police,
Redhills,
Tiruvallur District.

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