



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7958 of 2022

L.Chidambaram

... Petitioner

vs.

1.The District Revenue Officer,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Devakottai Taluk, Sivagangai District.

3.The Taluk Head Surveyor,
Devakottai Taluk Office, Ramnagar,
Devakottai, Sivagangai District.

4.S.Vaitheeswaran

5.V.R.Arunachalam

6.RM.Chidambaram

7.CT.Ramanathan @ Kannan

8.CT.Meenakshi Sundaram

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to hear and dispose of the petitioner's application bearing No. B1-10086/2022 seeking to rectify the four boundaries for the petitioner's land bearing T.S.No.4/2 at Devakottai Town, Ward A, Block 15, Sivagangai District.

For Petitioner :Mr.V.Kannan

For R1 to R3 :Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to hear and dispose of the petitioner's application, dated 14.02.2022 seeking to rectify the four boundaries in respect of the petitioner's land bearing T.S.No.4/2 at Devakottai Town, Ward A, Block 15, Sivagangai District and pass final orders within a time frame to be fixed by this Court.

2.According to the petitioner, though patta standing in the name of the petitioner shows a larger extent, in the actual measurement, there seems to be a shortage. In such circumstances,



the petitioner has submitted an application on 14.02.2022 to the official respondents calling upon them to survey and demarcate the boundaries. The respondents 4 to 8 are the neighbouring land owners. The application submitted by the petitioner has not been considered till date. In such circumstances, he has filed this Writ Petition.

3. Heard Mr.V.Kannan, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader for the respondents 1 to 3.

4. There seems to be a dispute between the petitioner and the respondents 4 to 8 with regard to the boundaries for their respective properties. Since there is a dispute, the petitioner will have to submit an application before the prescribed Officer under Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923. The petitioner has given a representation only to the first respondent, who is not a competent authority. Hence, the petitioner has to file a statutory appeal before the prescribed officer as per the provision of Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923.

5. For the foregoing reasons, this Court directs the petitioner to file the statutory appeal before the prescribed Officer as per the provisions of Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923, within a period of two weeks from the date of receipt of a copy of this order seeking for survey and demarcation of boundaries pertaining to his land comprised in T.S.No.4/2 at Devakottai Town, Ward A, Block 15, Sivagangai District. On receipt of the same, the Prescribed Officer, as per the provisions of Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923, is directed to pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 4 to 8 and any other necessary party whom the prescribed officer deems fit to enquire, within a period of four months thereafter.

6. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1. The District Revenue Officer,
Sivagangai District, Sivagangai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar,
Devakottai Taluk, Sivagangai District.

3.The Taluk Head Surveyor,
Devakottai Taluk Office, Ramnagar,
Devakottai, Sivagangai District.

4.The Prescribed Officer,
under Section 11 of the Tamil Nadu Survey
and Boundaries Act, 1923,
Collectorate, Sivagangai District.

+1 CC to M/s.V.KANNAN, Advocate (SR-20990[F] dated 25/04/2022)

+1 CC to M/s.SPL.GP. (SR-21188[F] dated 26/04/2022)

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RK(05/05/2022) 3P 7C