



WEB COPY

W.P.No.89



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.893 of 2023

and

W.M.P.No.870 of 2023

Dr.A.Vaithilingam

... Petitioner

Vs.

1.The District Collector,
Chennai District,
Chennai.

2.The Assistant Director & P.A to Collector (Land Survey),
Collector Office,
Chennai District.

3.The Revenue Divisional Officer,
Guindy Revenue Office,
Guindy, Chennai.

4.The Thasildar,
Sholinganallur Taluk,
Chennai District.

5.Kodhai Raman

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to consider the petitioner's representation dated 30.12.2022 and to rectify the mistake in the petitioner's F.M.B. Sketch in respect of the petitioner's vacant land bearing Plot Nos.189 & 191 at Ram Nagar, South Extension, measuring an extent of 9600 sq.ft comprised in Old S.No.10/Part, New S.No.10/1B1B, Patta No.9762, situated at 8th Street, Pallikaranai, Sholinganallur Taluk, Chennai.



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For Petitioner
For R1 to R4

: Mr.L.G.Sahadevan
: Mr.E.Sundaram,
Government Advocate
: Mr.S.Thirumavalavan

For R5

ORDER

The relief sought for in the present Writ Petition is to direct the 4th respondent to consider the petitioner's representation dated 30.12.2022 and to rectify the mistake in the petitioner's F.M.B. Sketch in respect of the petitioner's vacant land bearing Plot Nos.189 & 191 at Ram Nagar, South Extension, measuring an extent of 9600 sq.ft comprised in Old S.No.10/Part, New S.No.10/1B1B, Patta No.9762, situated at 8th Street, Pallikaranai, Sholinganallur Taluk, Chennai.

2. The learned counsel for the petitioner made a submission that an application was submitted to survey the land belonging to the petitioner. Since the 4th respondent has not considered the application, the petitioner is constrained to move the present Writ Petition.

3. The learned Government Advocate appearing on behalf of the respondents 1 to 4 made a submission that the 5th respondent has raised an objection to conduct survey and there is a boundary dispute existing between the petitioner and the 5th respondent. The provisions under the Survey and Boundaries Act cannot be



expanded for the purpose of resolving the boundary dispute between the private individuals. The Act is being utilized for the purpose of maintenance of revenue records and therefore, in the event of any dispute between the parties, the authorities are bound to relegate them to resolve the issues through competent Civil Court of law.

4. This being the scope of the Survey and Boundaries Act, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of resolving the disputes between them.

5. Accordingly, the Writ Petition stands disposed of. Consequently, the connected Miscellaneous Petition in W.M.P.No.870 of 2023 is closed. The Miscellaneous Petition in W.M.P.No.3232 of 2023 stands ordered. No costs.

05.09.2023

skr

Index : Yes

Speaking order



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To

- 1.The District Collector,
Chennai District,
Chennai.
- 2.The Assistant Director & P.A to Collector (Land Survey),
Collector Office,
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- 3.The Revenue Divisional Officer,
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Guindy, Chennai.
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S.M.SUBRAMANIAM, J.

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