



W.P.No.4082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4082 of 2023

N.Sulochana

...Petitioner

-Vs-

1.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

2.The Thasildar,
Taluk Office,
Sriperumbudur.

3.Head Surveyor,
Sriperumbudur Taluk,
Sriperumbudur,
Kancheepuram District.

4.G.K.Kumutha Devi

5.K.Akashraj

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to survey



W.P.No.4082 of 2023

the petitioner's land and to mark the boundaries of Grama Natham in Old Survey No.835/1B/1B/1, Grama Natham New Survey No.1747/17, Patta No.1248 to an extent of 3229.17 sq.ft. situated at 'B' Block, Veerasamy Pillai Street, Sriperumbudur Revenue Village and Taluk, Kancheepuram District.

For Petitioner : Mr.C.Samivel
For R1 to R3 : Mr.E.Sundaram
Government Advocate

ORDER

The relief sought for in this Writ Petition is to direct the second and third respondents to survey the petitioner's land and to mark the boundaries of Grama Natham.

2. The learned counsel for the petitioner states that the petitioner had made an application to survey the land belonging to him. The respondents four and five raised objections and therefore, the second and third respondents have not conducted the survey. The petitioner states that there is no reason whatsoever to deny his request to survey the land.



W.P.No.4082 of 2023

WEB CODE

3. The learned Government Advocate appearing for the respondents 1 to 3 made a submission that the petitioner herself has instituted a suit in O.S.No.135 of 2022 on the file of the District Munsif Court at Sriperumbudur.

4. A dispute exists between the petitioner and the respondents 4 and 5 and in such circumstance, the competent authorities of the Survey Department cannot conduct a survey of the land. The parties have to resolve the dispute before the Civil Court of law. In the event of any dispute, the Government surveyor cannot be forced to survey the land, which would cause prejudice to either of the parties. The very object of the Tamil Nadu Survey and Boundaries Act is not to resolve the dispute between the private parties. Now the Act is in force in order to maintain the revenue records by the Government and thus, the authorities cannot make any attempt to resolve the private disputes by conducting a survey through a Government surveyor under the provisions of the Tamil Nadu Survey and Boundaries Act.



W.P.No.4082 of 2023

5. In the present case, a Civil Suit is said to be pending and therefore, the petitioner can approach the Civil Court of law to redress his grievances in the manner known to law.

6. With these observations, the Writ Petition stands dismissed. No costs.

25.07.2023

Index:Yes
Neutral Citation:Yes
Speaking order
hvk



W.P.No.4082 of 2023

WEB COPY To

- 1.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.
- 2.The Thasildar,
Taluk Office,
Sriperumbudur.
- 3.The Head Surveyor,
Sriperumbudur Taluk,
Sriperumbudur,
Kancheepuram District.



WEB COPY



W.P.No.4082 of 2023

S.M.SUBRAMANIAM, J.

hvk

W.P.No.4082 of 2023

25.07.2023