



W.P.No.7166 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7166 of 2023

Selvapandiyan

...Petitioner

Vs

1.The Assistant Director,
Survey Land Record,
Cuddalore.

2.The Tahsildar,
Panruti,
Cuddalore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to survey the land of an extent of an 0.1072 sq. meter of plot comprised in New Survey No.102/11 sub divided as S.No.102/1A2 and Survey 0.102/11A2D (Whole Survey No.265/5, 6) situated at Maligampattu Village, Cuddalore District, within the sub register district of Kandampuliyur.



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For Petitioner : Mr.N.R.Rajagopalan

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in the present Writ Petition is to direct the first respondent to survey the land in New Survey No.102/11, sub divided as S.No.102/1A2 and Survey 0.102/11A2D (Whole Survey No.265/5, 6) situated at Maligampattu Village, Cuddalore District. In this regard, the petitioner herein had also given a representation to the second respondent on 25.08.2022.

3. While Section 9 of the Tamil Nadu Survey and Boundaries Act, 1923, deals with the power of a Survey Officer to determine and record an undisputed boundary, Section 10 deals with such powers over disputed properties. The cost for such survey is required to be borne by the persons interested in the lands to be surveyed, as per Section 8 of the



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Act. Thus, when the Act empowers the concerned Survey Officer to comply with the request of a person seeking for survey or demarcation of boundaries of his land, he is required to comply with such a request within a reasonable time.

4. In the light of the above findings, there shall be a direction to the concerned Surveyor to consider the petitioner's representation dated 25.08.2022 and conduct a survey in the subject lands, after giving due notice to the registered holders of the land, as well as other persons who may be affected, owing to the survey to be conducted in the subject lands and the survey report thereof shall be communicated to all such persons, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition stands disposed of.

No costs.

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Index:Yes/No
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M.S.RAMESH,J.

hvk

To

- 1.The Assistant Director,
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- 2.The Tahsildar,
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