



W.P.No.7746 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7746 of 2023

M.Ananthasayanam

...Petitioner

Vs

1.The Tahsildar,
Taluk Office, Pallipet,
Tiruvallur District-631207.

2.The Additional Director,
Survey and Land Records,
Commissionerate of Survey &
Settlement, Tiruvallur-602001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to survey the boundary of the agricultural property comprised in survey numbers 125/3B and 130/16 admeasuring an extent of 14.5 Ares and 3 Ares respectively.

For Petitioner : Mr.J.Jayavenkatraman

For Respondents : Mr.P.Sathish
Additional Government Pleader



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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 respondents to survey the boundary of the agricultural property comprised in survey numbers 125/3B and 130/16 admeasuring an extent of 14.5 Ares and 3 Ares respectively. In this regard, the petitioner gave a legal notice on 29.12.2022 to the Tahsildar concerned.

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 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



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within a reasonable time.

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4. In the light of the above findings, the petitioner is granted liberty to give a representation to the Tahsildar concerned, for conducting a survey of the subject lands, within two weeks from the date of receipt of a copy of this order and the Tahsildar concerned is directed to consider the representation and conduct a survey in the subject lands, after receipt of the cost of the survey from the petitioner, if not already received, and 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 the representation of the petitioner.

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

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

RS/hvk



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M.S.RAMESH,J.

RS/hvk

To

- 1.The Tahsildar,
Taluk Office, Pallipet,
Tiruvallur District-631207.
- 2.The Additional Director,
Survey and Land Records,
Commissionerate of Survey &
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