



W.P.No.7125 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7125 of 2023

N.Kanagaraj

...Petitioner

Vs

1.The Tahsildar,
Kunnam Taluk,
Perambalur District.

2.The Taluk Surveyor,
Kunnam Taluk,
Perambalur District.

3.The Village Administrative Officer,
Sirukudal Village,
Kunnam Taluk,
Perambalur District.

...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 petitioner's land at S.F.No.189/13 measuring about 0.07 ½ of acres in Keelapuliyur South Village of Kunnam Taluk in Perambalur District as per sale deed 07.09.1988 registered as Document No.1855 of 1988 on the file of Sub Registrar, Valighandapuram and issue a separate sub



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division and patta for his name by considering the petitioner's application dated 01.02.2023.

For Petitioner : Mr.N.Ponraj
For Respondent : Mr.V.Veluchamy
Additional Government Pleader

ORDER

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

2. The prayer sought for by the petitioner is for a direction to the respondents to survey the land in S.F.No.189/13, situated at Keelapuliyur South Village, Kunnam Taluk, Perambalur District, as per the sale deed 07.09.1988 and issue a separate sub division and patta, by considering his application dated 01.02.2023.

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 01.02.2023 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.

08.03.2023

Index:Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

hvk

To

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Kunnam Taluk,
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Perambalur District.
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