



W.P.No.8006 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.8006 of 2023**

Kuppusamy

...Petitioner

Vs

The Revenue Divisional Officer,  
O/o the Revenue Divisional  
Officer, Kallakurichi,  
Kallakurichi District.

...Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to rectify the village FMB sketch in the survey Nos. 291/1A and 291/1B to the extent of 6 cents and 44 cents respectively, which are situated at Vadakkannathal, Chinnasalem Taluk, Kallakurichi District based on the representation of the petitioner dated 20.06.2022 within stipulated time fixed by this Court.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.R.P.Murugan Raja  
Government Advocate



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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 respondent to rectify the village FMB sketch in the survey Nos. 291/1A and 291/1B to the extent of 6 cents and 44 cents respectively situated at Vadakkannathal, Chinnasalem Taluk, Kallakurichi District. In this regard, the petitioner herein had also given a representation to the respondent on 20.6.2022.

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 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, there shall be a direction to the respondent to consider the petitioner's representation dated 20.6.2022 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 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

Speaking order/Non-speaking order

RS/hvk



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**M.S.RAMESH,J.**

RS/hvk

To  
The Revenue Divisional Officer,  
Kallakurichi, Kallakurichi District.

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