



W.P.No.7743 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.7743 of 2023

S.Arunkumar

...Petitioner

Vs

1.The District Collector,
District Collectorate Office,
Ranipet District.

2.The Revenue Divisional Officer,
RDO Office, Arcot Taluk,
Ranipet District.

3.The Tahsildar, Arcot Taluk,
Ranipet District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd Respondent to consider and dispose the petitioner's representation dated 25/01/2023 requesting to measure and to issue patta to the land comprised in T.S.No. 4/1, Old Survey No.311/3 part, No.28 part, Thoppukana, Gangadhara Eswaram Koil Street, Arcot Taluk, Ranipet District measuring an extent of 1,350 Sq.ft (125.46 Sq.mt) within the time frame to be fixed by this Court.

For Petitioner : Ms.S.P.Arthi



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For Respondents : Mr.P.Sathish
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 3rd Respondent to consider and dispose the petitioner's representation dated 25.01.2023 requesting to measure and to issue patta to the land comprised in T.S.No.4/1, Old Survey No.311/3 part, No.28 part, Thoppukana, Gangadhara Eswaram Koil Street, Arcot Taluk, Ranipet District. A copy of the said representation given to the Tahsildar concerned is enclosed in the typed set of papers.

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 Tahsildar concerned to consider the petitioner's representation dated 25.01.2023 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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M.S.RAMESH,J.

RS/hvk

Index: Yes/No

Speaking order/Non-speaking order

To

- 1.The District Collector,
District Collectorate Office,
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