



W.P.No.8799 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8799 of 2023

A.Arulappan

...Petitioner

Vs

1.The District Collector,
District Collector Office,
Kallakurichi, Kallakurichi-606202.

2.The District Revenue Officer,
District Collector Office,
Kallakurichi, Kallakurichi-606202.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Kallakurichi, Kallakurichi-606202.

4.The Tahsildar, Tahsildar Office,
Sankarapuram, Kallakurichi-606401.

5.The Revenue Inspector, Revenue
Inspector Office, Vadaponparapi
Village, Sankarapuram Taluk,
Kallakurichi-605702.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation made by the petitioner dated 05.12.2022 for survey the



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land by making field inspection in Survey No.12A, Ulagalappadi Village, Sankarapuram Taluk, Kallakurichi District and to make necessary corrections in the revenue records such as Patta, Chitta, Adangal, FMB sketch and A-Register by taking into consideration of the revenue records before UDR survey and as per Document No.82 of 1977 dated 07.02.1977 on the file of SRO, Vadaponparapi and registered settlement deed in Document No.110 of 1968 dated 10.01.1968 and to correct the extent of land as 0.12 acres instead of 0.8 acres in Survey No.12A, Ulagalappadi Village, Sankarapuram Taluk, Kallakurichi District within a time frame to be fixed by this Court.

For Petitioner : Mr.J.Jayamalan

For Respondents : Ms.Akila Rajendran,
Government Advocate

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 this Writ Petition is to direct the respondents to consider the petitioner's representation dated 05.12.2022 to survey the land in Survey No.12A, Ulagalappadi Village, Sankarapuram Taluk, Kallakurichi District and to make necessary



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corrections in the revenue records

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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 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 05.12.2022 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



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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

To

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RS/SNI

M.S.RAMESH,J.



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