



WEB COPY



W.P.No.8791 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.8791 of 2023

Shantha

...Petitioner

Vs

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Tahsildar, Taluk Office,
Pochampalli, Krishnagiri District.

3.The Assistant Director,
Survey and Land Records,
Krishnagiri District, Krishnagiri.

...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 land and to fix boundaries in respect of the petitioner's property situated at Survey Nos.428/2B, 428/3, 438/3 and 438/9 of Veeramalai revenue village, Pochampalli Taluk, Krishnagiri District consisting of a total extent of 2.05 cents by considering the petitioner's application dated 08.02.2023 within stipulated time fixed by this Court.



W.P.No.8791 of 2023

For Petitioner : Ms.S.Harshita

For Respondents : Mr.V.Veluchamy,
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 this Writ Petition is to direct the respondents to consider the representation of the petitioner dated 08.02.2023 to survey the land and fix boundaries in respect of the petitioner's property situated at Survey Nos.428/2B, 428/3, 438/3 and 438/9 of Veeramalai revenue village, Pochampalli Taluk, Krishnagiri District.

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



W.P.No.8791 of 2023

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 08.02.2023 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.

21.03.2023

M.S.RAMESH,J.



W.P.No.8791 of 2023

RS/SNI

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Index: Yes/No

Speaking order/Non-speaking order

To

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W.P.No.8791 of 2023

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