



WEB COPY



W.P.No.9260 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9260 of 2023

N.Ramalingam

...Petitioner

Vs

The Tahsildar, Taluk Office,
Vandavasi Taluk, Vandavasi,
Thiruvannamalai District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to survey the petitioner's house plot properties situated at Tiruvannamalai District, Cheyyar Sub-District, Thellar Sub-Registrar, Pazhaveri Village, Grama Natham survey No.83/2.3.95 within bounded south by street, north by Murugesan plot, west by this plot, east by east, west 3 feet, north south 44 feet extent of common narrow lane, which in centre east west 16 feet, north south 44 feet, which is total extent of 704 square feets and aforesaid Natham survey No.83/2.3.95 within bounded south by street, north by Murugesan plot, west by aforesaid plot, east by Nambili Gounder and others' plot, which in centre east west 3 feet, north south 44 feet, which is half share out of common narrow lane, which is total extent of 66 sq.feet's based on the petitioner's online application along with survey fee challan No.20230302035721 dated 02.03.2023.



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For Petitioner : Mr.T.V.G.Kartheeban

For Respondent : Mr.R.P.Murugan Raja,
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 the Writ Petition is to direct the respondent to consider the petitioner's online application to conduct a survey of the lands in Grama Natham survey No.83/2.3.95 bounded south by street, north by Murugesan plot, west by this plot, east by east, west 3 feet, north south 44 feet extent of common narrow lane, which in centre east west 16 feet, north south 44 feet, which is total extent of 704 square feet and aforesaid Natham survey No.83/2.3.95 bounded south by street, north by Murugesan plot, west by aforesaid plot, east by Nambili Gounder and others' plot, which in centre east west 3 feet, north south 44 feet, which is half share out of common narrow lane, which is total extent of 66 sq.feet situated at Pazhaveri Village, Cheyyar Sub-District, Tiruvannamalai District.



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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 online application along with survey fee challan No.20230302035721 dated 02.03.2023 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



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M.S.RAMESH,J.

RS/SNI

order.

5. With the above directions, the Writ Petition stands disposed of.

No costs.

27.03.2023

Index:Yes/No

Speaking order/Non-speaking order

To

The Tahsildar, Taluk Office,
Vandavasi Taluk, Vandavasi,
Thiruvannamalai District.

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