



WEB COPY



W.P.No.10565 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10565 of 2023

Mrs.Shantha Anantharaman

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Kancheepuram District.

2.The Tahsildar,
Office of the Tahsildar,
Tambaram Taluk,
Kancheepuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to measure and fix the boundaries for the property referred to in the Writ Petition as prayed for in the representation dated 09.09.2021 by conducting enquiry.

For Petitioner : Mr.S. Pugalenth

For Respondents : Mr.P. Sathish,
Additional Government Pleader



W.P.No.10565 of 2023

WEB COPY

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 respondents to measure and fix the boundaries for the property situated in 'D' Block No.17, Town Survey No.104/9, old Survey No.76/2. In this regard, the petitioner herein had also given a representation to the second respondent on 09.09.2021.

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



W.P.No.10565 of 2023

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 second respondent herein, to consider the petitioner's representation dated 09.09.2021 and conduct a survey in the subject land, 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, including the adjacent owners of the subject land, as well as other persons who may be affected, owing to the survey to be conducted in the subject land and the survey report thereof shall be communicated to all such persons, within a period of four (4) 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.

06.04.2023

Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

Sni



W.P.No.10565 of 2023

M.S.RAMESH,J.

Sni

To

- 1.The District Collector,
Office of the District Collector,
Kancheepuram District.
- 2.The Tahsildar,
Office of the Tahsildar,
Tambaram Taluk,
Kancheepuram District.

W.P.No.10565 of 2023

06.04.2023