



WEB COPY



W.P.No.10187 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10187 of 2023

G.Soundharajan

...Petitioner

Vs

1.The Tahsildar,
Egmore & Nungambakkam Taluk,
Egmore, Chennai - 600 008.

2.The Assistant Director of Survey
and Land Records,
Chennai District, Chennai - 600 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to survey the land of an extent of 2 acre and 64 cents, bearing Old Paimash No.412, Old Patta No.325, Old Survey No.7, Block No.1, Town Survey No.8/1, Vinayagapuram, Chennai - 600 106, situated at No.109, Puliur Village, Egmore Taluk, Chennai, by considering the petitioner's representation dated 06.03.2023.

For Petitioner : Mr.G.Anandraj
For Respondents : Mr.R.P.Murugan Raja,
Government Advocate



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ORDER

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2. The prayer sought for in the present Writ Petition is to direct the respondents to conduct a survey in the petitioner's land bearing Old Paimash No.412, Old Patta No.325, Old Survey No.7, Block No.1, Town Survey No.8/1, Vinayagapuram, Chennai - 600 106, situated at No.109, Puliur Village, Egmore Taluk, Chennai. In this regard, the petitioner herein had also given a representation to the first respondent on 06.03.2023.

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



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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 first respondent herein to consider the petitioners' representation dated 06.03.2023 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, including the adjacent owners of the subject lands, 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.

31.03.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

- 1.The Tahsildar,
Egmore & Nungambakkam Taluk,
Egmore, Chennai - 600 008.
- 2.The Assistant Director of Survey
and Land Records,
Chennai District, Chennai - 600 001.

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