



W.P.No.10531 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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P.Shankarappa

...Petitioner

-Vs-

1.The District Collector,
Krishnagiri District.

2.Tahsildar,
Hosur Taluk,
Krishnagiri District.

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

4.P.Venkatasamy

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent herein to consider the representation dated 13.11.2018 of the petitioner by directing the respondents to survey the land and correlate the survey numbers with respect to the boundaries in the parent sale deed dated 08.10.1992 and the subsequent sale deed dated 09.02.2007.



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For Petitioner : Mr.Kabilesh

For R1 to R3 : Mr.V.Veluchamy
Additional Government Pleader

ORDER

Heard Mr.Kabilesh, learned counsel for the petitioner and Mr.V.Veluchamy, learned Additional Government Pleader for the respondents 1 to 3.

2. Since this Court is directing the second respondent to conduct survey in the petitioner's land, after giving due opportunity to the fourth respondent, notice to the fourth respondent is hereby dispensed with.

3. The prayer sought for in the present Writ Petition is to direct the respondents to survey the petitioner's land and correlate the survey numbers with respect to the boundaries in the parent sale deed dated 08.10.1992 and the subsequent sale deed dated 09.02.2007.

4. 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



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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.

5. In the light of the above findings, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 13.11.2018 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 fourth respondent herein and 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.



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M.S.RAMESH,J.

hvk

6. With the above directions, the Writ Petition stands disposed of. No costs.

05.04.2023

Index:Yes/No
Internet:Yes/No
hvk

To

- 1.The District Collector,
Krishnagiri District.
- 2.The Tahsildar,
Hosur Taluk,
Krishnagiri District.
- 3.The Assistant Director,
Survey and Land Records,
Krishnagiri District.

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