



W.P.No.11617 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.11617 of 2023**

Parvathi

...Petitioner

Vs

1.The District Collector,  
Tiruppur,  
Tiruppur District.

2.The Revenue Divisional Officer,  
Dharapuram,  
Tiruppur District.

3.The Tahsildar,  
Dharapuram,  
Tiruppur District.

4.The Head Surveyor,  
O/o.The Tahsildar,  
Dharapuram,  
Tiruppur District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 3 and 4 to measure and lay boundary stones after proper survey over the property



W.P.No.11617 of 2023

comprised in S.Nos.931, 1055, 1288 and 437 extent 4 acres out of 10 acres situated at Kundadam Village, Dharapuram Taluk, Thirupur District by considering the representation made by the petitioner on 10.01.2023 within the time to be stipulated by this Court.

For Petitioner : Mr.R.Chandrasekaran

For Respondents : Mrs.Akila Rajendran,  
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 present Writ Petition is to direct respondents 3 and 4 to measure and lay boundary stones after proper survey over the property comprised in S.Nos.931, 1055, 1288 and 437 extent 4 acres out of 10 acres, situated at Kundadam Village, Dharapuram Taluk, Thirupur District by considering the representation made by the petitioner on 10.01.2023 within the time to be stipulated by this Court.

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



W.P.No.11617 of 2023

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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 respondents 3 and 4 herein to consider the petitioner's representation dated 10.01.2023 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.



W.P.No.11617 of 2023

**M.S.RAMESH,J.**

vga

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

No costs.

**18.04.2023**

Index: Yes/No

Speaking order/Non-speaking order

vga

To

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Tiruppur,  
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**W.P.No.11617 of 2023**