



W.P.No.11423 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11423 of 2023

P.V.Pratap

...Petitioner

Vs

1.The District Collector,
Dindigul District, Dindigul.

2.The Assistant Director of Survey
& Land Records, Dindigul.

3.The Tahsildar, Kodaikanal,
Dindigul District.

4.The Head Surveyor, Kodaikanal,
Dindigul District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to survey and fix boundaries of the petitioner's land in Farm Field No.135, Re-Survey No.850 of Vilpatti Village, Kodaikanal Taluk, Dindigul District based on the petitioner's representation dated 28.02.2023.

For Petitioner : Mr.S.Bharathi Rajan

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader



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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 this Writ Petition is to direct the respondents to consider the representation of the petitioner dated 28.02.2023 to survey and fix the boundaries of the lands in Farm Field No.135, Re-Survey No.850 of Vilpatti Village, Kodaikanal Taluk, Dindigul District.

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.



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4. In the light of the above findings, the petitioner is directed to approach the third respondent with a copy of the representation dated 28.02.2023 given to the first respondent. On receipt of such a representation, the Tahsildar concerned is, in turn, directed to consider the same 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.

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

No costs.

13.4.2023

Index:Yes/No

Speaking order/Non-speaking order

RS/SNI



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M.S.RAMESH,J.

RS/SNI

To

- 1.The District Collector,
Dindigul District, Dindigul.
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& Land Records, Dindigul.
- 3.The Tahsildar, Kodaikanal,
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