



W.P.No.12132 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12132 of 2023

P.Shakila

...Petitioner

Vs

1.The District Collector,
District Collector Office,
Nilgiris District.
Udagamandalam-643002.

2.The Revenue Divisional Officer,
Coonoor, Udhagamandalam.
643001.

3.The Tahsildar, Coonoor,
Udagamandalam-643001.

4.Mrs.Manjula Devi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the representation dated 17.10.2022 by measuring the metes and bounds of the petitioner's land.

For Petitioner : Mr.R.Gunaalan
For Respondents 1 to 3 : Mr.V.Veluchamy,
Additional Government Pleader



W.P.No.12132 of 2023

WEB COPY

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the official respondents. Since this Court is directing the third respondent to consider the petitioner's representation after giving notice to all the parties concerned, notice to the private respondent is dispensed with.

2. The prayer sought for in the present Writ Petition is to direct the third respondent to consider the petitioner's representation dated 17.10.2022 to measure the land in Survey No.844/2A, Ketti II Village, Coonoor Taluk, Nilgiri District measuring 9 cents.

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.12132 of 2023

WEB COPY

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 Tahsildar concerned to consider the petitioner's representation dated 17.10.2022 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.

21.4.2023

Index: Yes/No

Speaking order/Non-speaking order

RS/SNI



WEB COPY



W.P.No.12132 of 2023

M.S.RAMESH,J.

RS/SNI

To

- 1.The District Collector,
District Collector Office,
Nilgiris District.
Udagamandalam-643002.
- 2.The Revenue Divisional Officer,
Coonoor, Udhagamandalam.
643001.
- 3.The Tahsildar, Coonoor,
Udagamandalam-643001.

W.P.No.12132 of 2023

21.4.2023