



W.P.No.21604 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.21604 of 2023

Sakthivel

... Petitioner

Vs.

1.The District Collector,
Cuddalore District.

2.The Tahsildar,
Kurinjipadi, Cuddalore District.

3.The Land Surveyor,
Kurinjipadi, Cuddalore District.

4.R.Vijayakumar

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1,2,3 respondents to not to survey the land in S.No. 214, Sub Division S.No. 214/1A2, Puliur Village, Kullanjaadi SRO, Cuddalore District, situated at Belandur Village, Hosur Taluk, Krishnagiri District based on the representation dated 03.07.2023.

For Petitioner	: Mr.S.C.Vishwanth
For Respondents	:
(for R 1 to R3)	: Mr.E.Sundaram
	Government Advocate



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ORDER

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The relief sought in the present writ petition is to direct the respondents 1, 2 & 3, to not to survey the land in S.No.214, Sub Division S.No.214/1A2, Puliur Village, Kullanjaadi SRO, Cuddalore District, situated at Belandur Village, Hosur Taluk, Krishnagiri District based on the representation dated 03.07.2023.

2.Admittedly the 4th respondent has already instituted a Civil Suit in O.S.No.6 of 2021, pending on the file of the Principle District Munsif Court at Kullanjaadi Taluk, Cuddalore District. The learned counsel for the petitioner states that during the pendency of the Civil Suit, the respondents 1 to 3 cannot survey the land.

3.No doubt the Survey and Boundaries Act has got a limited application and therefore, the authorities cannot utilise the survey and Boundaries Act for the purpose of settling the private disputes.

4.However, this Court cannot issue an order of injunction restraining the authorities from performing their duties. It is for the authorities to take a decision, whether the survey is to be conducted or not, in the manner



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know to law. In the event of any objections from the parties, the Survey Officials have to relegate the parties to approach the Civil Court of law.

5.In the present case, the 4th respondent has already instituted a Civil Suit and therefore, it is for the parties to resolve the issues through the Civil Court of law by filing appropriate applications.

6.With these clarifications, the Writ Petition stands **disposed of**.
However, there shall be no order as to costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

21.07.2023

To

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Cuddalore District.

2.The Tahsildar,
Kurinjipadi, Cuddalore District.

3.The Land Surveyor,
Kurinjipadi, Cuddalore District.



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S.M.SUBRAMANIAM. J.,

(sha)

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