



WEB COPY

W.P.No.24627 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24627 of 2023

V.Narayanasamy

...Petitioner

Vs.

1.The District Collector,
Villupuram District,
Pincode: 605 602.

2.The Sub Collector,
Sub Collector Office,
Tindivanam – 605 103.

3.The Tahsildar,
Taluk Office,
Gingee – 604 202.

4.Selvakumar

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 3rd respondent to survey the regular pathway to the petitioner's land through the land in Survey No.31/5 of the 4th respondent at Singavaram Village, Gingee Taluk, Villupuram District and issue a revised patta and FMB sketch as mentioned in the sale deed dated 07.05.1971 based on the representation of the petitioner dated 08.12.2022.



For Petitioner : Mr.K.Murugesan
For R1 to R3 : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the third respondent to survey the regular pathway to the petitioner's land through the land in Survey No.31/5 of the fourth respondent at Singavaram Village, Gingee Taluk, Villupuram District and issue a revised patta and FMB sketch as mentioned in the sale deed dated 07.05.1971, based on the representation of the petitioner dated 08.12.2022.

2. The petitioner submitted an application to survey the subject property. The Government Surveyor can conduct survey under the provisions of the Tamil Nadu Survey and Boundaries Act if there is no dispute regarding the property. In the event of any dispute between the parties, the Surveyor cannot conduct survey and the scope of the Act cannot be expanded for the purpose of resolving the civil dispute between the parties. Therefore, the petitioner has to approach the competent Civil Court of law.



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3. In the present case, the fourth respondent is raising an objection for conducting survey. That being the factum, the petitioner is at liberty to resolve the issues by approaching the competent Civil Court of law or conduct survey in Civil Suit itself.

4. With these observations, the Writ Petition stands dismissed. No costs.

21.08.2023

veda/hvk
Index:Yes
Speaking order
Neutral Citation:Yes/No

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