



W.P.No.7587 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7587 of 2023

B.Mahalakshmi

...Petitioner

Vs

1.The Tahsildar,
Pallavaram Taluk,
Pallavaram, Chennai - 600 043.

2.The Commissioner,
Tambaram Corporation,
Zone - I, Pammal,
Chennai - 600 075.

3.The Inspector, Law & Order,
S-6, Shankar Nagar Police Station,
Pammal, Chennai - 600 075.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to measure the physical portion of the property at No.55, Thiruneermalai Main Road, Nagarkani, Chennai - 600 044 as per the petitioner representation dated 17.10.2022.



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For Petitioner : Mr.S.Ezhilraj

For Respondents : Mr.R.P.Murugan Raja,
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 the first respondent to survey and measure the petitioner's land in Survey No.190/7 situated at No.55, Thiruneermalai Main Road, Nagarkani, Chennai - 600 044. In this regard, the petitioner herein had also given a representation to the first respondent on 17.10.2022.

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



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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 the concerned Surveyor 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.

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Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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