



W.P(MD)No.17822 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.17822 of 2023

Balasubramaniyan

... Petitioner

Vs

1.The Assistant Director of Survey and Land Records,
O/o.The Ad of Survey,
Kalayanpuram,
Pudukottai,
Pudukottai District.

2.The Tahsildar,
Thirumayam Taluk,
Pudukottai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey and demarcate the boundaries of property of the petitioner in Survey No. 178/6D, Kottayur Village, Thirumayam Taluk, Pudukottai District as per the provisions of the Tamil Nadu Survey and Boundaries Act, 1923 within the time that maybe stipulated by this Court.



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For Petitioner :Mr.M.Mahaboob Athiff
For Respondents :Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The petitioner has submitted an application to survey his land in Survey No. 178/6D, Kottayur Village, Thirumayam Taluk, Pudukottai District on 19.01.2023 and has approached this Court that his application has not been considered by the respondents so far.

2.Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for the respondents submits that the adjacent land owners of the petitioner, namely, Subramanian, Ravi and Periyasamy have raised certain objections for conducting survey in the petitioner's land and hence the survey could not be completed. He further submits that since there is objectors, the matter was referred to the Revenue Divisional Officer. The objectors have also filed an application before the Revenue Divisional Officer and the issue is now pending with the Revenue Divisional Officer.



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3.If there is any objections for conducting survey, the Survey Officer is supposed to issue notice to the parties concerned as per Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 1923 and conduct an enquiry. In this case, the adjacent land owners have raised certain objections for conduct of the survey in the petitioner's land.

4.In view of the above, there shall be a direction to the respondents to conduct an enquiry under Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 192, survey the subject land and pass necessary orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.

25.07.2023

NCC : Yes / No.

Index : Yes / No.

Internet:Yes

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B.PUGALENDHI, J.

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