

From  
Dr. R. Selvaraj, I.A.S.,  
Commissioner of Survey and Settlement,  
"Survey House", Chepauk,  
Chennai - 600 005.

To  
All District Collectors  
All Regional Deputy Directors of Survey and  
Land Records  
All Assistant Directors of Survey and Land  
Records

**CIRCULAR**

**R.C.No Q5/ 20403 /2020 (sy) Dated: 15.03.2021**

Sir / Madam,

Sub: Guidelines for Surveying of properties – formulated by the Madurai Bench of the Honourable High Court of Madras – in W.P.(MD)No.13465 of 2020 and WMP(MD) No.11228 of 2020 –Instructions for implementing the directions – issued.

- Ref: 1. Orders dated: 05.10.20 issued by the Madurai Bench of the Honourable High Court of Madras in W.P. (MD)No.13465 of 2020 and WMP (MD).No.11228 of 2020.
2. This office Letter No R.C.Q5/20403/2020 (Sy) dated: 28.10.2020.
  3. Orders of the Hon'ble Madurai Bench of Madras High Court dated 04.12.2020 in WMP(MD) Nos 14711/2020 and W.P(MD) No 13465/2020.
  4. Government letter No.27793/SS-II (2)/2020-5 Revenue and Disaster Management Department dated 10.03.2021.

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1. In the reference first cited, the Hon'ble Madurai Bench of Madras High Court had issued an order wherein it had formulated guidelines for Surveying of properties and directed the Government to issue a circular incorporating the guidelines within a period of one month. Subsequently, in order dated 04.12.2020 the Hon'ble High Court had issued modified guidelines.

2. In this regard, a W.M.P. (MD) No.14711 of 2020 in W.P. (MD) No.13465 of 2020 was filed before the Hon'ble Court praying for extension of time for a period of 3 months for issuing the circular. Taking the prayer into consideration the Hon'ble Madurai

Bench of Madras High Court in its order 04.12.2020 has posted the matter to the second week of June, 2021. In the reference 4<sup>th</sup> cited, the Government of Tamilnadu have directed to scrupulously follow the following guidelines while surveying landed properties.

- (i) On receipt of charges towards Survey or Resurvey, it should be conducted within a period of 30 days from the date of such receipt as much as possible. The superior officers should conduct cursory inspections and reviews to closely monitor the timely disposal of the applications and also whether stipulated outturns are achieved by the Surveyors every month. In case of willful delay or showing no devotion to work or lack of integrity on the part of the Surveyors or any other officials concerned, disciplinary action should be taken strictly against the errant officials as per THE TAMIL NADU CIVIL SERVICES (DISCIPLINE AND APPEAL) RULES and if the charges are proved, appropriate punishments must be imposed as per rules. In case of repeated failures to perform or in case of dereliction of duty, the concerned Official / Surveyor shall be displaced to a non-sensitive post, apart from taking disciplinary action against them;
- (ii) The register for F-Line application should be maintained in the format prescribed already. This register should be entered periodically and verified everyday by the Superior Officers, viz. Deputy Inspector of Survey and Tahsildar. The complete details of this register should be made available to the parties concerned or any person, when required under the Right to Information Act and Section 8 of the said Act or any other provision should not be quoted to deprive the details to the person, who requires it.
- (iii) The Commissioner of Survey and Settlement shall study the usage of Drone Technology in addition to DGPS and ETS wherever possible in order to conduct accurate survey of the property which will throw light with regard to

encroachment on Government lands, like OSR, Public Roads, Parks, Lakes, Odai, etc. and shall submit a detailed report to the government.

- (iv) Pendency of litigation before Courts is not a bar for the authorities to conduct survey or resurvey in the absence of any stay / interim order / interim injunction from proceeding further.
- (v) In cases relating to pending civil dispute, the parties are at liberty to approach the appropriate forum for conducting Survey or Resurvey of the property in question by making necessary application and the same shall be considered by the appropriate forum in accordance with law.
- (vi) The entire process of survey or resurvey shall be photographed and videographed by the authorities concerned if the cost towards it is borne by the applicants concerned and the copies of documents shall be furnished to the parties concerned on receipt of necessary charges.
- (vii) In the event of any public documents sought for by any of the parties in connection with the property in question, under the Right to Information Act, duly certified copies should be provided to such parties and it should not be denied by merely quoting some provisions of the RTI Act, more particularly, Section 8 of the said Act, unless there is any interim order operating against the parties concerned in respect of disbursement of the documents sought for by the parties. The name, designation, employment number, etc. shall be furnished in the certification.
- (viii) The entire charges for survey or resurvey of the property shall be paid by the parties concerned or it should be equally borne by them, depending upon the facts of each case.
- (ix) A constant vigil on every official of the Revenue Department is absolutely necessary to regulate the revenue related works and the Vigilance Department

shall be brought into action to curb the demand of bribe by them, especially Surveyors.

- (x) In case of request for issuance of Patta after survey, apart from the aforesaid guidelines, the directions issued by this Court in W.P.(MD) No.7746 of 2020 batch on 23.09.2020 should be adhered to.
- (xi) As per G.O (Ms) No 29, Revenue and Disaster Management Department dated 01.01.2020, a separate website for Survey and Settlement Department is being created through NIC, to improve the communication between the Commissionerate and the District/ Regional and the Taluk level offices and also to provide access to the staff of Survey and Settlement Department as well as to the general public to various types of Document/ records. The Commissioner of Survey and Settlement shall make similar facility for making available the form or application for survey and issuance of patta in the above website and for making payment through online/NEFT/ RTGS by the concerned parties. F-line applications would also be incorporated in the website, within a period of 6 months:

If any complaint is given by any of the applicant with regard to the demand of bribe, a detailed enquiry should be conducted and if required, vigilance enquiry can be set in motion. Once payment for Survey is made and receipt is generated, the guidelines issued by the Court can be made available to the applicants so that each and every citizen is informed about their rights and duties. The Department should send notice to the parties, fixing the date and time of Survey through Speed Post or Registered post only.

- (xii) Whenever a person is recruited and appointed as Surveyor, the aforesaid guidelines must be brought to their knowledge, by handing over a copy of

the same to them and if any vacancy arises in the cadre of Surveyor, necessary steps should be taken to fill up with immediate effect.

- (xiii) As mentioned in Serial No. (xi) above, a software will be developed by the Commissionerate of Survey and Settlement (in Collaboration with the National Informatics Centre, Chennai), within a period of 6 months, for online updation of F-line applications completely through online work flow, like the existing Online Patta Transfer system. The particulars of F-line register and its current status will be made available online for the public to verify by entering the application ID.

The receipt of this circular should be acknowledged by return of post. Also, this circular should be circulated to all Revenue Divisional officers / Sub-Collectors, Tahsildars and all the Survey Officials.

*16/3/21*  
for Commissioner of Survey and Settlement

Copy to:

- 16/3/21*
1. The Registrar,  
Hon'ble Madurai Bench of Madras High Court.  
Madurai.
  2. The Additional Director (Computerization and Schemes).  
(For follow-up action regarding Sl. No.iii, xi and xiii of the guidelines)
  3. The Administrative Officer (DILRMP).
  4. K/M Section Superintendents.