



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.MAHADEVANWrit Petition (MD) No.13398 of 2015

WEB COPY

Kanyakumari CSI Diocese,
Rep by the Bishop,
Diocesan Office CSI,
No.71-A, Dennis Street,
Nagercoil 629 001
Nagercoil Village,
Agastheeswaram Taluk,
Kanyakumari District.

... Petitioner

Vs.

The Tahsildar,
Vilavancode Taluk,
Kulithurai,
Kanyakumari District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent to Sub-Divide the land in R.S. No. 367/14 to an extent of 8.299 cents in R.S. No. 367/18B to an extent of 10.868 cents of land and in R.S. No. 367/22 to an extent of 33.345 cents of land comprised in R.S. No. 367/14 367/18B and 367/22 in Nalloor Village Vilavancode Taluk Kanyakumari District based on the representation of the petitioner dated 09.07.2014 within a time stipulated by the Honourable Court.

For Petitioner
For Respondent

: Mr.F.Deepak
: Mr.S.Chandrasekar,
Government Advocate.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.S.Chandrasekar, learned Government Advocate for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage itself.

2.The prayer in the writ petition is to direct the respondent to sub divide the land in R.S.No.367/14 to an extent of 8.299 cents in R.S. No. 367/18B, to an extent of 10.868 cents of land and in R.S.No.367/22 to an extent of 33.345 cents of land comprised in R.S.Nos.367/14, 367/18B and 367/22 in Nalloor Village, Vilavancode Taluk, Kanyakumari District based on the representation of the petitioner dated 09.07.2014

3.The petitioner has made a representation to the respondents dated 09.07.2014 seeking sub division in respect of the property in question. It is specifically submitted by the learned counsel for the petitioner that there is no rival claim nor any suit pending in respect of the subject matter. Therefore, learned counsel for the petitioner seeks the indulgence of this Court for a direction to the respondents to consider the representation of the petitioner and pass appropriate orders on merits.



4.Considering the facts and circumstances of the case and without expressing any opinion as to the merits of the contentions raised by the petitioner, the writ petition is disposed of directing the respondent to consider the representation of the petitioner dated 09.07.2014 on merits and in accordance with law, and pass appropriate orders, after giving opportunity to the petitioner as well as the interested parties if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

sms

To

The Tahsildar,
Vilavancode Taluk,
Kulithurai,
Kanyakumari District.

+one cc to Mr.F.Deepak , Advocate in SR.NO.43704

+one cc to The Special Government Pleader in SR.No.43974.

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CSL 13/08/2015
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