



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.19295 of 2017

S.Jeyaraj

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The Tahsildar,
Thovalai Taluk Office,
Thovalai,
Kanyakumari District.

3. The Taluk Surveyor,
Thovalai Taluk Office,
Thovalai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to survey the lands measuring 4 cents in old survey No.1058, new survey no.36/1 in Thadikarankonam, Thovalai Taluk, Kanyakumari District and demarcate the same by laying survey stone after giving opportunity to the neighbours and all the party concerned by considering petitioner representation dated 19.09.2017.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

ORDER

By consent, this writ petition itself is taken up for final disposal.

2.Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents.

3.The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of his property in Old Survey No.1058, New Survey No.36/1 in Thadikarankonam, Thovalai Taluk, Kanyakumari District and as such, he has submitted a



representation dated 19.09.2017, for measurement and survey of the property. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 19.09.2017 and pass appropriate orders regarding measurement of the property, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Tahsildar,
Thovalai Taluk Office,
Thovalai,
Kanyakumari District.
3. The Taluk Surveyor,
Thovalai Taluk Office,
Thovalai,
Kanyakumari District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 83003
+ 1 CC TO Mr.M.SANKAR, ADVOCATE IN SR No. 82763

GK
TE/SV-MMS/SAR-IV : 26/10/2017 : 2P/6C

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