

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 10.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE **M.S.RAMESH****W.P. (MD) No. 2283 of 2017**

Mohamed Kutty @ Ahamed Kutty

... Petitioner

vs.

1.The District Collector,
Kanyakumari District @
Nagercoil.

2.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent herein to survey the petitioner's land by fixing the boundaries situated in Survey Nos.707/6-15 and 17 of Kaliyal Village, Vilavancode Taluk, Kanyakumari District to on extent of 22 1/2 cents based on the proceedings passed by the first respondent herein vide O.Mu/M4/47448/2016, dated 05.12.2016.

For Petitioner : Mr.B.Brijesh Kishore
For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

ORDER

By consent of both parties, the writ petition itself is taken up for final hearing.

2. The petitioner is the owner of the property comprised in Survey Nos.707/6-15 and 17 of Kaliyal Village, Kanyakumari District. Patta No.HS378/72 dated 01.12.1976 was also issued in favour of the petitioner by the second respondent. The petitioner had made an application dated 30.01.2016 to the respondents requesting them to survey the subject property. On receipt of such representation, the first respondent had forwarded the same to the second respondent for further action. Though the first respondent had forwarded the petitioner's request to the second respondent way back on 05.12.2016, no steps have been taken up to survey the subject land.



3. In such circumstances, there shall be a direction to the second respondent to consider the petitioner's representation, dated 30.01.2016, in the light of the first respondent's recommendation, dated 05.12.2016 and pass orders on the same, within a period of 12 weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District @
Nagercoil.

2. The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

+1cc to Mr. Brijesh Kishore, Advocate, SR.No:7625

+1cc to Spl. Government Pleader, SR.No:7940

akv

AE/28.02.2017/2P/5C

W.P. (MD) No. 2283 of 2017

10.02.2017