



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1483 of 2016
and
W.M.P.(MD)No.1268 of 2016

A.Sugumaran

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Nagercoil (Sub Divisional Magistrate),
Kanyakumari District.
3. The Tahsildar,
Thoivalai Taluk,
Boothapandi,
Kanyakumari District.
4. S.Mohan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from demolishing the southern side compound wall of the petitioner's property and destroying the 4(Four) feet the "Nilaviyal Kalvaai (Channel)" located in Survey No.294/6 without following the procedures established by law and directing the 2nd respondent to consider the petitioner's representations dated 19.07.2014, 25.12.2015 by invoking Section 133 Cr.P.C.

For Petitioner : Mr.N.Sivakumar
For Respondents 1 to 3 : Mr.T.S.Mohammed Mohideen
Additional Government Pleader
For 4th Respondent : Mr.S.Visvalingam

**O R D E R**

[Order of the Court was made by G.R.SWAMINATHAN, J.]

The writ petitioner apprehends that his compound wall will be demolished without following due process of law and he has also contended that the water channel located in Survey No.294/6 should be maintained. He has given a representation to the third respondent in this regard on 25.12.2015.

2.The third respondent shall follow due process of law before taking action against the writ petitioner. He should also pass orders on the petitioner's representation dated 25.12.2015. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

3. This Writ Petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
kanyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Nagercoil (Sub Divisional Magistrate),
Kanyakumari District.
3. The Tahsildar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

+ 1 CC TO Mr.S.VISVALINGAM, ADVOCATE IN SR No. 77235
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 77990
+ 1 CC TO Mr.N.SIVAKUMAR, ADVOCATE IN SR No. 77760

RMI

TE/KK/SAR-II : 27/09/2017 : 2P/7C

ORDER MADE IN
W.P.(MD)No.1483 of 2016 and
W.M.P.(MD)No.1268 of 2016
07.09.2017