



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.4999 of 2017

Lincy

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Thasildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to effect mutation of entry in favour of the petitioner in revenue records and sub division of the land (Re Sy.No.152 of Kalkulam Village) and consider the petitioner's representation, dated 27.07.2016.

For Petitioner

: Mr.D.Christenson Jugunu

For Respondents

: Mr.M.Alagathevan,
Special Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to effect mutation in revenue records in favour of the petitioner, in respect of the property comprised in Re-Survey No.152, Kalkulam Village and also to make sub division of the said property, based on his representation, dated 27.07.2016.

2.Heard both sides.

3.The case of the petitioner is that he obtained 10³/₄ cents in Survey No.79/7, 4 cents in Survey No.82/6, 3 acres in Survey No.152, 20 cents in Re.Survey No.22/2 and 4¹/₂ cents in Re.Survey No.773/1 in Kalkulam Village, vide Judgment and decree dated 16.03.2011, passed in O.S.No.573 of 2010, by the Principal District Munsif Court, Kuzhithurai and he was in possession and enjoyment of the same. He made a representation dated 27.07.2016 to the second respondent



seeking to effect mutation in revenue records in respect of the property comprised in Re.Survey No.152 and also to make sub division of Re-Survey No.152. Since the same has not been considered so far, the petitioner is before this Court.

4.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 27.07.2016, is disposed of by the second respondent as per law.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner dated 27.07.2016, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner so as to place all the connected records for consideration as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of as above. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Thasildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

+One cc to M/s.D.Christenson Jugunu, Advocate, SR.No.86425

+One cc to The Special Government Pleader, SR.No.86568

smn

RL/5C/2P/MR/KKR/SAR2/20/11/2017

ORDER MADE IN

W.P(MD)No.4999 of 2017