



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P (MD) No.13044 of 2018

and

W.M.P. (MD) No.11907 of 2018

WEB COPY

A.Sundaraj

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.

3.The Project Director cum DGM (Tech),
No.314E, K.P. Road, Near Ayappan Kovil,
Parvathipuram, Nagercoil - 629 003,
Kanyakumari District.

4.The Union of India,
Rep. by its Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan, No.1, Parliament Street,
New Delhi.

5.The Special Tahsildar (LanH Unit III),
Villvancode, Thiruthuvapuram, Kanyakumari District.

6.The Tahsildar,
Kalkulam Taluk, Thacklay,
Kanyakumari District.

7.The Land Surveyor,
O/o. The Tahsildar,
Kalkulam Taluk,
Thacklay,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the sixth respondent to pass orders on the representation dated 24.05.2018 for measuring the land in S.No.101/12B measuring an extent of 5.125 Cents at Kappiyarai Village, Kalkulam Taluk, Kanyakumari District and fix boundary stones.



For Petitioner : Mr.G.Justin
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader
For R1 to R3, 5 & 6 and
Standing Counsel For R4

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O R D E R

This writ petition is filed for the issuance of a Writ of Mandamus directing the sixth respondent to pass orders on the representation dated 24.05.2018 for measuring the land in S.No.101/12B measuring an extent of 5.125 Cents at Kappiyarai Village, Kalkulam Taluk, Kanyakumari District and fix boundary stones.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3, 5 & 6 and the Standing Counsel for the respondents 4.

3. The petitioner is the owner of total extent of 32.750 Cents of land allotted to him under partition deed dated 14.06.1988 vide document No. 1134/1998. Thereafter, there is acquisition proceedings for which 855 sq mtr of his land was taken over by the Government. The remaining lands are in possession and enjoyment of the petitioner.

4. In view of the subsequent sale and acquisition, the petitioner sought for survey of his land and demarcation of boundaries and hence, he made a representation to the sixth respondent to survey and demarcate his boundaries of his properties on 24.05.2018. The matter is still pending without any progress and hence, the petitioner is before this Court.

5. Considering the facts and circumstances of the case, a direction is issued to the sixth respondent to consider the representation of the petitioner and pass orders in accordance with law. After giving notice to the respondents 3 and 4 in respect of measuring his lands in Survey No.101/128 at Kappiyarai Village, Kalkulam Taluk, Kanyakumari District, the six respondent shall complete the survey and demarcation process within a period of three months from the date of receipt of a copy of this order.

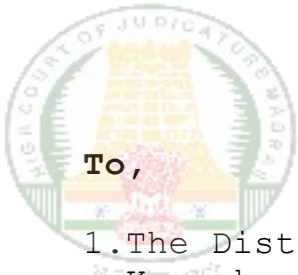
6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No.11907 of 2018 is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To,

1. The District Collector,
Kanyakumari District, Nagercoil.

WEB COPY

2. The Competent Authority & District Revenue Officer,
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6. The Tahsildar, Kalkulam Taluk, Thacklay,
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7. The Land Surveyor, O/o. The Tahsildar,
Kalkulam Taluk,
Thacklay, Kanyakumari District.

+2cc to Mr.G.Justin, Advocate Sr.No.68841

CM

VB/RP/SAR2/13.07.2018/3P/10C

**W.P(MD)No.13044 of 2018
and W.M.P. (MD) No.11907 of 2018
20.06.2018**